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CHAPTER I

THE

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THE LOUISIANA HISTORICAL QUARTERLY

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TORTURE IN SPANISH CRIMINAL PROCEDURE IN LOUISIANA, 1771.

EDITORIAL INTRODUCTION.

This paper is a careful summary of a record in the Archives of the Louisiana Historical Society in the files of the Governor's Court, 1771, covering the "Criminal proceedings officially brought to find the aggressor who killed Juan Baptiste Cezaire Lebreton, on the night of May 31 (1771) just passed, by the discharge of a gun, together with the prosecution of the accomplices in the assassination."

It establishes under the signatures of the judge and the prosecuting officers that torture was used (the rack) to extract a confession from the two negro slaves, upon whom suspicion had fallen.

As in all our Spanish records, the story as received from the mouths of the witnesses is accurately preserved, in writing, together with all the proceedings from inception to close of the investigation, including an official report of the execution of the criminals and the punishment of their accomplices.

The record is badly worm-eaten in parts but it is possible to understand the injured portions. Its size (132 pages) precludes the possibility of translating and transcribing for publication. The summary prepared by Miss Porteous preserves every salient feature of the investigation.

HENRY P. DART.

OFFICIAL INVESTIGATION OF THE MURDER OF JUAN BAPTISTE
CEZAIRE LEBRETON ON THE NIGHT OF MAY 31, 1771, INCLUDING
THE TRIAL, CONDEMNATION AND EXECUTION OF THE
PRINCIPALS AND THE PUNISHMENT OF THE
ACCESSORIES BEFORE THE FACT.

June 1-20, 1771. No. 128 (123 pp.)

Court of Governor Unzaga (Held in New Orleans).

Assessor, Cecilio Odoardo.

Escribano, Andres Almonester.

Counsel for the defendants—Leonardo Mazange.

(Appointed by the Court.)

*Summary By Laura L. Porteous
Archive Department, La. Hist. Society*

This record opens with the Order issued by Governor Luis de Unzaga, dated June 1, 1771, calling for an immediate investigation of the crime. This we print in full. The remainder of the record is carefully summarized from the original documents.

"DECREE.—In the city of New Orleans on the first day
"of June of one thousand seven hundred and seventy-one,
"Señor Don Luis de Unzaga y Amesaga, Colonel of the Royal
"Armies and Governor General of this Province, said: That
"in this instant, which is half past seven in the morning, he
"has just been given notice by Captain Don Alexandro De-
"cluet (De Clouet) that Juan Bapta. Lebreton was killed on
"his plantation yesterday at mid-night by his own slaves, and
"that a part of his house took fire, the said Lebreton going out
"on the gallery of the house to put it out he was fired on by a
"musket by which he was killed. In consequence of which in
"order to proceed to the investigation of this crime and pun-
"ishment of the criminals, His Lordship ordered this act to
"begin the proceedings (Auto cabeza de proceso) drawn up
"for which the said Don Alexandro De Clouet, the negroes of
"the plantation, and the rest of the people will be examined
"who may have any knowledge of it. Those who will be
"found guilty to be held in security (arrested). That the pres-
"ent Escribano must certify to the wound, and Don Francisco
"Rubi (Jean Ruby) and Monsieur Lebo (Francisco Lebeau) a
"physician the former a surgeon must certify in continuation
"in their quality examine the body which His Lordship or-

"dered must be brought to the city. He names as Interpreters "for the continuation of the proceedings Captain Don Jacinto Panis and Don Dionisio Braud who must accept and take oath in due and proper form. They will interpret the said declarations which will be offered in evidence which will be entrusted to the present Assessor and for this His Lordship provides on the advice of the foresaid, thus he ordered and signed to which I attest. Amended.—City.—Certified.—Signed Unzaga,—Doctor Odoardo Before Andres Almonester."

Jacinto Panis and Dionisio Braud are notified, who accept and take oath. Doctors Ruby and Lebeau are also notified and qualify. On the same day Andres Almonester, escribano, certifies that he examined the corpse of Juan B. Lebreton and found that he seems to have died from a gunshot wound which entered the shoulder and passed by the left breast.

The Doctors' Report. Francisco Lebeau, Doctor of Medicine in the University of Montpellier, Physician for the King in New Orleans; Juan Ruby, Surgeon Major in the Battalion of Louisiana, certify that this day, June 1, 1771, they went to Mr. Lebreton's plantation, situated two leagues from the city on the right and upper side of the River by order of the Governor to examine the corpse of the deceased. They arrived at nine o'clock in the morning and proceeded to the examination in the presence of Don Francisco de Villiers, Chevalier of Saint Louis, Don Luis de Launay, and Don Lorenzo Wiltz. They found Mr. Lebreton lying on his face on the south side of the gallery of his house, bathed in his blood. His shirt was pierced by a ball and bird-shot which entered in the lower left part of the omoplate and passed out by the lower middle of the sternum of the left side. Besides the said corpse had all the lombal surface and shoulder pierced with bird-shot. They extracted seven shots, which they enclosed in a paper and signed, "Labeau and Ruby," and sealed with Mr. Lebreton's seal, which they handed over to Mr. Wiltz. The bird-shot enclosed and sealed they handed to Mr. de Villiers. They proceeded to make an incision in the corpse assisted by Mr. Luis Veillon, a practitioner at the Royal Hospital. They found the heart cut in its outer part for the length of three fingers, the left lobe of the lung pierced through by the ball, the third and fourth floating ribs broken counting from above to below.

From these wounds it must be concluded that Mr. Lebreton died instantly. Signed at the Lebreton plantation by Francisco Lebeau, Juan Ruby and Louis Veillon.

The same day, June 1, 1771, they proceed to the examination of the witnesses which takes place in the presence of Cecilio Odoardo, Assessor General, commissioned by the Governor in the "act which heads the process," to receive the testimony, and the two Interpreters. Alexandro De Clouet is the first to appear, who, upon his word of honor, declares that at twelve o'clock of the night before while on his plantation he was notified by Mr. Lebreton's negro coachman, Joseph Congo, that his master's house was on fire and that he would be burnt up in it. The witness went to the rescue and found that it was true that the house was on fire in a shed near the old kitchen. The body of Mr. Lebreton in his shirt was on the gallery. The witness, knowing that the author was among the negroes of the plantation, caused them to assemble and found four missing, namely, Malet, Dedé, Demba (Temba), and Juan Augustin. The overseer told the witness that he had seen Juan Augustin at the fire and presumed that he wished to look for one of the negresses. The other three he had not seen nor did he know their whereabouts. Besides the above said proceedings the witness gathered the guns of the negroes of the plantation, he did not know how many, and turned them over to Mr. De Launay. He knows no more. The overseer can give more information and can find the three missing negroes, who have very bad reputations. An hour after he left and went back to his own plantation. This declaration was signed by Doctor Odoardo, Alexandre Chev. De Clouet, Jacinto Panis, Dionisio Braud, attested by Andres Almonester.

Luis De Launay was the next to appear who took oath by God and the Cross, declared that at mid-night Mr. de Villiers sent a negro named Congo to look for the witness to notify him that his master's house (Mr. Lebreton) was on fire and that he had been killed by shooting. He started to go to the plantation and joined Mr. de Clouet. They found the shed on fire and the dead body of Mr. Lebreton in his shirt on the gallery. He can not say who did the killing. The overseer said that there were three or four bad negroes missing at the time of the fire when they were assembled to put it out. Some

three or four hours later they came back saying that they had taken some negresses to Mr. Wiltz's plantation. The overseer arrested them, not having seen them in their cabins when he went to call them. He also notified the witness that one of the four missing negroes, Temba, the hunter, had been well scolded by his master the night before about an hour before the fire broke out because he very often went away from the plantation to sleep. Signed Doctor Odoardo, Louis de Launay, Jacinto Panis, Dionisio Braud. Attested before Dionisio Braud.

Lorenzo Wiltz next appeared who took oath on his word of honor, putting his hand on his sword, declared that at midnight of yesterday Mr. de Villiers notified him that Mr. Lebreton's house was on fire and that he had been killed by a gunshot wound. He went to the deceased's plantation, where he found the shed on fire and the body on the gallery of the house with his face to the floor. The witness said that one of the negroes, a hunter, had been scolded by his master and it was supposed he had caused both the death and the fire. The witness examined the guns of the negroes and found one freshly loaded with small shots only. He asked who was its owner. The overseer said he did not know and the witness said he could not prove who was the owner, as all the guns were together when he examined them. The negro, the hunter, had a very bad reputation and that his master had complained of his services several times. Signed Doctor Odoardo, Laurent Wiltz, Dionisio Braud, Jacinto Panis. Attested before Andres Almonester.

The negroes are now called, beginning with Pedro, the overseer, who under oath declared that at twelve o'clock of the night before the big shed of the plantation took fire and that when he awoke and went out of his cabin he saw the flames and that his master was on the gallery calling to the negroes to save the chickens and to put water on the henhouse. The witness, as overseer, was in company with the slaves helping them with their work. In about four or five minutes they heard a gun fired. He asked who had shot. The negroes answered it must be the master calling the negroes. In a moment a negress called Juana, one of the house servants, who was on the gallery, screamed to the witness and the others to come and see what had happened. They found

their master dead, bathed in his blood. He did not wish to touch the body so he called the neighbors, who were Messrs. De Villiers, De Clouet, De Launay and Wiltz. These gentlemen came and assembled the negroes to examine them; four were missing—Juan Augustin, Malet, Dede, and Temba, the hunter. The first, Juan Augustin, was with the witness at the fire at the time of the shooting, but the others were not there. They all appeared in about a half an hour saying that they came to conduct some negresses. The hunter came in company with the others, and said that he had gone to sleep on Mr. Robert's plantation, and that the hunter, called Pedro, belonging to Mrs. de Villemont, had awakened him saying that the plantation was on fire and his master dead. The witness said at nightfall of the day of the murder his master had scolded the hunter, Temba, for remaining away from the house at night, and notwithstanding this scolding he went away as usual, though his master had forbidden it. Two of the negroes, brothers called Malet and Dede, who were permitted by their master (Mr. Hugon) to work for hire and were engaged by Mr. Lebreton, but because of the bad accounts given of them he had to take them back and punish them. This was about three or four months back, since then he had not seen them. His master treated his slaves well. When the hunter returned to the house he had his gun. There were six guns in all among the negroes of the plantation. These were gathered up and he does not know if there were any others. He did not sign as he did not know how to write. Signed Cecilio Odoardo, Dionisio Braud, Jacinto Panis. Attested before Andres Almonester.

The next called was Juana, Mr. Lebreton's house slave, who under oath, and by means of the interpreters, said that according to the position of the stars it would seem that the fire was at about mid-night when her master in order to direct the negroes went out on the gallery in his shirt. The witness was below the gallery when she heard a shot fired and at the same time the noise of a person running away. She was frightened but went up and called her master but he did not answer as he was dead. She screamed and the overseer and the rest of the slaves who were putting out the fire came to her. In the first part of the night her master had scolded the hunter, called Temba, because he had been sleeping away from the

plantation. He fell upon his knees and asked his master's pardon, which was granted him by Mr. Lebreton who said: "For this time, and that he must be careful for another time or he would pay for all." Temba was not at the fire and came about a half an hour later with Mr. de Launay. She did not sign as she did not know how to write. The officials signed.

The next witness was Pedro Nicolas, known as Temba, a hunter, Mr. Lebreton's slave; through the interpreters under oath declares that Pedro, the hunter, Mrs. de Villemont's slave, awakened him at one of the cabins of Mr. Robert's plantation where he was sleeping, and told him that his master's house was on fire and that he had been killed. This seemed to him impossible, as he had left him well a short time before. He took his gun and left for his master's plantation alone. Mrs. de Villemont's negro went his way to his owner's plantation. He went up on the gallery, where Mr. De Launay questioned him as to where he came from. He answered from Mr. Robert's house. Mr. Wiltz examined his gun which was loaded. Questioned if his master had scolded him, when and why? He said after supper, the night before, he was scolded and his master wished to punish him because he spent two nights away from the plantation. He was ordered to call the overseer to whip him. He asked pardon which was granted and he promised not to sleep away again and that he would give an account of each night and how he worked. He was reminded that he had promised his master not to sleep away from home, which is just what he did last night. He said that his master forbade him to sleep in the woods.

He was asked why he carried his gun at mid-night when he went to find out about the misfortunes which had befallen his house? He said so as not to leave it behind and not to have to go to look for it when he had to have it for his work. He carried it although he knew it was useless. He was reminded that he said he carried it to Mariana's house so as not to leave it while away from his home. Why did he take it away with him at night when he could not hunt at such an unseasonable hour? He said he carried his gun with him so as not to be accused of the murder. He was questioned in what way he judged it could be interpreted. He answered that he thought when he arrived he would be asked for his gun, so for this reason he carried it with him. He was asked

when he loaded his gun? He said Thursday morning after he had killed two rabbits. No one saw him load it. Questioned as to what was the name of the negress with whom he was the night before, when found by Mrs. de Villemont's slave and who were the other persons present and if they were informed that he had left his master's house; he said the negress was called Mariana; that he was in the company of her brother when they were informed by Mrs. de Villemont's negro who came to call him. Questioned how Mrs. de Villemont's negro knew of Mr. Lebreton's death which had just occurred, he said he did not know as he said nothing to the witness except to announce to him about the calamity. Questioned if he saw the fire and who caused it, he said he did not know; that he saw it at sun rise. He did not sign as he could not write. The officials all signed.

The next witness was Juan Augustin, Mr. Malet's slave, hired to Mr. Lebreton. Under oath through the interpreters he declared that he was at Mr. Wiltz's plantation taking supper with one of his slaves called Mariana when Pierre called and told him there was a fire at his master's. At this news he went there immediately without meeting anyone. When he arrived his master was on the gallery talking to and guiding the negroes. The witness in union with the others tried to put out the fire. About a half hour later he heard a gun fired; the negroes discussed this thinking the master had fired. At the screams of the negress they all ran and found their master dead. After some time he left the fire and went to look for his coat which he had left on Mr. Wiltz's plantation. Questioned if he met anyone on the road, he said when he came with his coat he met Malet and Dede, who came running to the plantation. He joined them and they arrived here. Questioned if he knew where Malet and Dede came from, he said that they both came from Mr. Wiltz's plantation. He met them at the fire. Dede saved the chickens for the overseer, and Malet tried to put out the fire. Questioned if he remembered to have seen the two when his master was shot, he answered that he could not be sure because of the confusion. Questioned if he left his work to go and get his coat, he said that this was his fault and because he left he knows nothing more. He was questioned as to how it was that he had said that Malet and Dede were assembled with him to put out the fire,

and at the same time he said he saw them running to the plantation when he had gone to Mr. Wiltz's to get his coat. He said that when he went to look for his coat they had gone to take some negresses to Mr. Wiltz's. Questioned if he knew or suspected who might be guilty of the murder, he said he did not know. Asked if he heard any of the negroes complain of his master, he said that they all complained of his master, particularly Temba, the hunter, because the master scolded him for not staying home.

June 2, Pedro, Mrs. de Villemont's slave, was questioned under oath through the interpreters. He declared that when coming from the "Capitular" (Assembly) at about two or three in the morning, he went to the cabins of the negroes on Mr. Lebreton's plantation where he passed Francisco, whom he questioned about their misfortunes. Francisco said he did not know who killed his master. The witness took the Royal Road where he met Mr. Wiltz. Francisco informed him that Temba had been scolded by Mr. Lebreton that night. Knowing that he went to Mr. Robert's the witness went to find him there in a cabin where he went to sleep with a negress called Mariana. He knocked three times on the door before he was answered. The witness asked if he knew that they had killed his master and set fire to the house, at which Temba wondered, took his gun and left for the plantation. Questioned what reason had he for going to see if Temba was in the cabin with the negress mentioned, he said he suspected that the other negroes were afraid of Temba. The witness found him in the cabin. He could have committed the murder and had time to retire to the said cabin, a distance of less than half a league. Questioned what sort of a reputation had he heard that Temba held, he said he had heard that he had an evil reputation, and passed for a bad negro, and that his own master feared him in this respect. He did not sign as he did not know how to write. The officials signed.

The next witness was Malet, Mr. Hugon's slave, hired to Mr. Lebreton, who said he did not know who had killed his master, or who had set fire to the house. He was accustomed to sleep away from the plantation in the cabin of a negress belonging to Mr. Wiltz, named Maria. A negress called Tamon had awakened him saying that there was a fire at Mr. Lebreton's. At what hour this was he could not say but he

got up and went to the plantation and saw Mr. Lebreton on the gallery and a fire in the shed. He passed behind the house so that his master could not see him and began to work with the others to try to put out the fire. Questioned what interval of time there was between his arrival and the firing of the gun, he said half an hour at the longest. Questioned if he knew who was the first to call his master, he said he did not know as he arrived afterwards when all the slaves were at the fire. He did not talk about it, nor did the negroes discuss the murder among themselves. Questioned who he saw at the time of the fire and where was he after his master's death, he said he saw them all, but particularly one called Juan. After the fire he had seen his master, then he went to take the negresses, Maria and Julia, who had gone to see the fire, back to Mr. Wiltz's. Questioned as to which ones of the negroes had guns, he said Temba, because he was a hunter; Juan Augustin, Bernardo, and others. He does not remember them all but everyone was examined by Mr. Wiltz on the plantation. Questioned if Temba's gun was taken up and examined with the others, he said he did not know. He did not sign because he could not write. The officials all signed.

And so they continued to question the negroes. Mrs. de Villemont's Pedro was recalled; Mr. Rugon's Dede; Mr. Robert's Mariana, and Francisco; June 3, Mrs. de Villemont's Pedro was called for the third time, from prison, where he had already been lodged, though there is no warrant of arrest filed. Then Papa Cipion, a free negro; Francisco, the blacksmith, Mr. Lebreton's slave; the other Francisco (called Mir-liton), also Mr. Lebreton's slave, who was ordered arrested and separated from the others; Paya, also belonging to the deceased, and Liceta, a free negress, who had been his wet-nurse and had merited the confidence of Mr. Lebreton's father who had given her her freedom before he left for France. Cipion was re-called, then Mr. Lebreton's Carlos, who is the first to openly accuse Temba. He says he suspected the hunter because there was a dog called "Brava" on the gallery, and that Temba was the only one who could have approached the house without disturbing her. Antonio, the blacksmith, belonging to Mr. Lebreton also accuses Temba of being the murderer. Magdalena, slave of the deceased, a prisoner in the jail, is questioned.

June 4, they begin the examination of the prisoners, Mr. Lebreton's Maria Juana, Mr. Monplaisir's Mariana, Mr. Hugon's Miguel, leased to Mr. Lebreton, Mr. Malet's Carlos. Mr. Lebreton's Juana is recalled for a second declaration. Mr. Wiltz's Luison is questioned. Odoardo orders her put in prison to facilitate the investigation.

June 5, Unzaga on Odoardo's advice issues an order that the ammunition taken from Temba be compared with that which was removed from Mr. Lebreton by the doctors to see if the balls are not identical. The interpreters are also directed to translate the death certificate from French to Spanish. The formal arrest is ordered of Temba, Mrs. de Villemont's Pedro, Mr. Robert's Mariana, Francisco, her brother Carlos or Charlo; Maria Juana, and Francisco, called Mirliton (Mirliton means a fife, a reed-pipe or vegetable pear). Some of these have already been lodged in jail. The warden of the prison must give a receipt for the prisoners. Signed Unzaga and Odoardo.

On the same day the warden of the prison certifies that he holds the persons of Temba, Pedro, Mariana, Francisco, Carlos, Maria Juana, Francisco Mirliton.

June 5, Andres Almonester certifies that he examined a game-bag made of crude linen or sail cloth for carrying ammunition, made in two divisions. In one of these he found balls and ammunition which he compared with the balls said to have been removed from Mr. Lebreton's body by the doctors at the time he was killed, and he can find no difference between them.

A Spanish translation is made by Messrs. Braud and Panis of Doctors Lebeau and Ruby's certificate of death made at the time of the inquest.

June 5, 1771, Unzaga orders the other negroes of the plantation to give their testimony without fear of exposing themselves to injury from any of the rest of them. Signed Unzaga.

The Governor is present for the succeeding examinations. Those called are Mr. Lebreton's slaves, Mariana, a prisoner; Julia, Luis, Dede (recalled), Dauchon (Mr. Lebreton's second overseer), Mercurio, Bernardo, Pablo, and Joseph, all slaves of the deceased. These witnesses accuse Temba of being the murderer because of his bad reputation.

June 5, Unzaga begins hearing the statements, here called confessions, of the prisoners. The first called is Temba, who upon being questioned said his name is Pedro Nicolas, known as Temba, creole of New Orleans, aged about 40, a bachelor, and a hunter. He is questioned further upon the evidence already received and upon his movements on the night of the murder. He is followed by Pedro, the hunter, who says his name is Pedro, a creole of this city, aged about 40, a bachelor, and a hunter. He is further questioned as was his predecessor. The third confession is made by Mariana, who says her name is Mariana, a creole of this city, aged about 40, unmarried, works in the field. Her brother Francisco is questioned; says his name is Francisco, a creole of this city, aged about 30, unmarried, a carpenter. The confession of Charlo, who says his name is Carlos, born in Guinea, aged about 40, unmarried, a carpenter. Confession of Maria Juana, who says her name is Maria Juana, born in this city, aged about 30, married, works in the field. Francisco Mirliton makes his confession, saying that his name is Francisco, called Mirliton, a creole of this city, aged about 45, married, and a blacksmith. Francisco alone of all the slaves can sign his own name.

June 7, Unzaga decrees, on Odoardo's advice, that the accused prisoners must name an attorney to act as their defender and that the causes of Temba, Pedro, Mariana, Francisco, Charlo, Maria Juana, and Francisco Mirliton must be taken into consideration, and the proofs of the crime received within nine common days, within which time the witnesses must appear to ratify the testimony already given. Unzaga further orders that Temba be tortured to make him confess who were his accomplices. His Lordship reserves to himself, as he does reserve (the right) to determine the kind and the amount of torture to be given. Signed Unzaga and Odoardo.

The negro prisoners are notified of the foregoing decree and name as their attorney Leonardo Mazange, who accepts and takes oath by God Our Lord and a Sign of the Cross in conformity to law, to defend the negroes well according to his true knowledge and understanding. Signed Leonardo Mazange. Attested before Andres Almonester.

Before Governor General Unzaga, his Assessor General, the two Interpreters, and the Escribano, the witnesses ratify their testimony in the following order: Alexandre de Clouet,

Louis de Launay, Laurent Wiltz, Pedro, the overseer; Juana, Juan Augustin and Malet. Francisco Mirliton, with the permission of the Governor General, makes some new statements to be added to his original declaration. Mr. Robert's Francisco also obtains Unzaga's permission to add to his first declaration. Mariana is called upon to make a second declaration according to the new evidence obtained from the two foregoing changes. Francisco Mirliton is recalled and confronted with Mariana's new testimony.

June 9, Unzaga orders the Assessor, the Escribano and the two Interpreters to go to Mariana's cabin and examine her clothes and compare them with the wads taken from the gun which killed Mr. Lebreton. Signed Unzaga. Examination of Mariana's cabin. The officials went as directed to Mariana's cabin, where they examined her clothes and having the necessary orders they opened Temba's trunk where they found a small amount of ammunition, and a powder flask. They proceeded to open Mariana's trunk where they found some of her clothes both colored and white, all soiled. Among them was a piece of white handkerchief which looked as if it had been torn into various pieces and not cut with a pair of scissors. These they compared with the wads in their possession. The piece of handkerchief was stained as were the wads which were gathered up from the deceased Mr. Lebreton's gallery on the night of his assassination. The Governor, the Assessor, and the two Interpreters sign the above statement, which was attested before Andres Almonester.

A continuation of the ratifications of the negroes in the following order: Cipion, Liceta, Paya, Francisco, Dede, Magdalena, Miguel, Luison, Julia, Luis, Douchou, Mercurio, Bernardo, Pablo, Joseph Antonio the blacksmith, Mr. Malet's Carlos, Mariana.

Temba's declaration under torture. (Note—From this point to the end, the record is so worm-eaten that it is impossible to give little more than a general sense of what takes place from the words here and there that remain.—L. L. P.) The Governor and his officials went to the prison to question Temba under torture if he was not willing to name his accomplices otherwise. There was no instrument of torture at the prison. Oath was administered to Temba and his declaration and confession were read to him word for word and he said

that they were as he had made, affirmed and ratified them. At this stage the Governor General ordered him to speak the truth or he would be tortured, to which he had been condemned, and of which he was notified by the Escribano, through the Interpreters. He answered that he ratified his confession and declaration and that he had told the truth. His Lordship repeated his order to Temba to speak the truth under the penalty of torture for failing to do so, and for the second time Temba said he ratified the statements he had already made. The Governor, the officials, and Temba then went to the Hall in which the instrument of torture was ready and for a third time Governor Unzaga commanded him to speak the truth or he would be tortured. And for the third time Temba persisted in saying his testimony was as he had ratified it. His Lordship then ordered Temba put on the rack and fastened to it and the punishment to which he had been condemned carried into effect. The executioner fulfilled his office. Temba, through the Interpreters, then said it was Mirliton who had killed Mr. Lebreton. He had seen him below the gallery of the house. He repeated various times, "There is Jesus." Then he said Mirliton, Mirliton it was who set fire to the shed and who fired his gun at the same time as he did. (Note—As both balls and bird-shot were removed by the doctors from Mr. Lebreton's body, it was apparent from the first that he had been fired on by two different guns, but as only one shot was heard, the discharges must have been simultaneous.—L. L. P.) He was further questioned if he was present when Mirliton fired. He said yes. He was asked what motive they had for killing their master. He said because he was bad, and did not give them time off. He was questioned when he went to Mariana's. He said after the murder; that the star was very high and he guessed it was about half-past eleven. He was asked who gave him the wads for his gun. He said he did and that he loaded his gun himself. And the ammunition and the powder? He said he got them himself. He was asked if he was not the first to fire? He said Mirliton was in advance. And where is the rest of the handkerchief out of which they made the wads? He said at Mariana's. He took it to her cabin the Thursday before without her knowledge. He was asked if he would know the rest of the handkerchief. He said if it was shown to him. At that point His Lordship ordered it

shown to him, and when he had seen it he said it was the same. He was asked where he was and where Mirliton was when they fired. He said he was in the garden near the house, and Mirliton on the steps. He was asked who took the fire. He said Mirliton took it from his cabin. (Note.—They must have carried red-hot embers to start the fire in the shed.—L. L. P.) He was asked who saw him after the murder. He said he went to Mr. Wiltz's plantation, where he went to the cabins of Nicolas and Juan Baptiste, where he was for a short time protecting himself with his gun, but he did not speak a word. He was asked if he had anything further to add to this declaration, which was read to him, and he said no, and ratified it. At this point Unzaga ordered this proceeding suspended. All present signing except Temba, who could not write.

While Unzaga was still in the hall of torture it was reported to him by the Chief of the Guard that the negro Mirliton was hanging himself with his girdle in his prison cell. He did not accomplish his purpose. He asks His Lordship to give the necessary orders so that he may set this down as a matter of record.

Francisco Mirliton was evidently not much hurt by his attempted suicide for he was immediately summoned before Unzaga. He was questioned upon the accusations made by Temba under torture, which he declared were false. He also denied the attempted hanging, said he was playing with his girdle, etc. (The worms have left very little of this declaration.) There is a further questioning of Colas, Antonio the blacksmith, and others, impossible to make out. Then comes the ratification of Temba's testimony given under torture. Then a confrontation of Temba with Mirliton, the confrontation of Mariana with the handkerchief and a further questioning of her about the affair, and a declaration of Mariana cited by Mirliton. This is followed by a decree by Unzaga, on Odoardo's advice, from the few words remaining, and what follows this is evidently an order to put Mirliton on the rack to obtain a confession.

Mirliton is taken to the hall of torture, and the same proceedings are followed as with Temba. Under oath through the Interpreters three distinct times he is asked if he has anything further to say than what is contained in his confession

and declaration under the threat of torture if he does not speak the truth. Each time he says he ratified the statements already made and that he has nothing to take from or add to them. He is put on the rack and fastened to it and the executioner fulfills his office. Under torture it would seem from the few words remaining that he confesses that he fired at his master which resulted in his death. Temba had forced him to take the fire from his cabin and set fire to the shed. Mirliton signs this confession made under torture and in another signed statement ratifies it.

This is followed by Mazange's argument covering over four pages in defense of the criminals. Unfortunately it is impossible to decipher this. He evidently asks for a definite sentence, because this is immediately followed by the final judgment.

Unzaga condemns the negroes Francisco Mirliton, and Pedro Nicolas, called Temba, to death by hanging. They are to be brought out from the prison and dragged from the tail of a pack-horse with an esparto grass halter tied to the neck, feet and hands, the town crier to go before announcing the crime they have committed. They must pass through the accustomed streets to the gallows where they will be hanged until dead. Pedro Nicolas, called Temba, is to remain on the gibbet and to have his hands cut off and nailed up on the public roads until such time as they are consumed. No one is to take the body down under pain of death. Pedro is to receive 200, and Mariana 100, lashes at the foot of the gallows, and their ears cut off close; Carlos to be tarred and feathered and mounted on a pack-beast. This definite sentence was passed and signed by Luis de Unzaga y Amezaga on the advice of Cecilio Odoardo.

June 19 Leonardo Mazange, attorney for the criminals, sets forth that the negro called Pedro is very ill; the punishment to which he has been condemned by Your Lordship's decree would cause him to lose his life. He has not merited this as the charge of murder was not brought against him in the prosecution. He prays that he be examined by a physician and the sentence against him be suspended. Unzaga on Odoardo's advice orders the surgeon, Dr. Francisco (Juan) Ruby, to examine the negro Pedro and to certify what illness he has, and if necessary to suspend punishment.

Juan Ruby certifies that he examined the negro Pedro, Mrs. de Villemont's hunter, who he finds has a malignant fever. On account of his weak heart-action, to inflict upon him the punishment decreed would cause him to lose his life. Signed Juan Ruby. Attested before Andres Almonester.

June 19 upon the Doctor's certificate Unzaga, on Odoardo's advice, rules that the punishment ordered for Mrs. de Villemont's negro Pedro be suspended until such time as he will have recovered from his illness. In the meanwhile he must remain in prison pending this time. Paraphed by Unzaga and Odoardo.

June 20, Andres Almonester certifies that on this day the executioner has carried out the orders of the definitive sentence upon all the criminals with the exception of Pedro, Mrs. de Villemont's slave, in consequence of the provision of the decree on the opposite page of June 19. He also certifies that the heads and hands of the negroes Temba and Mirliton have been cut off and nailed up according to the definitive judgment. New Orleans, June 20, 1771. Signed Andres Almonester

June 26, Maria Coulange, widow de Villemont, states that in the criminal prosecution of the negroes who had murdered Mr. Juan B. Lebreton her negro hunter Pedro was condemned to be lashed so that his crime be expiated. This execution did not take effect because of a grave illness put him in danger of losing his life if whipped. She prays that he be ordered examined by any physician and if he proves that her statement is true then let her slave be returned to her to be cured. Unzaga orders Pablo Gardrar (Gardrat) to examine the negro and state and certify as to the nature of his illness.

Pablo Gardrar certifies that on June 26, pursuant to the foregoing decree, in the presence of the Escribano he examined Mrs. de Villemont's slave, Pedro, a prisoner in the public jail of this city. He found him gravely ill with fever. If he continues in the prison it will not be possible to cure him. Unzaga orders the slave returned to Mrs. de Villemont under juratory security to be returned to prison when convalescent.

Juratory Security. Andres Almonester certifies that he knows Mrs. de Villemont, that in virtue of the foregoing decree to return her negro Pedro to her under Juratory Security in order to cure him of an illness which has seized him, and in

order to put this decree into effect she appears before him and took oath by God and the Cross according to law to obligate herself to return the said negro to prison just as soon as he is convalescent from his illness. Signed Coulange widow de Villemont. Attested Andres Almonester.

Note: The record ends here. The murder was committed at midnight of May 31st, 1771. The entire trial lasting only 20 days, by which time all witnesses had been examined, criminals sentenced and executed. A week later one slave is released from prison conditionally, which ends the proceeding on June 26, 1771. There is no taxation of costs.—L. L. P.



**TRIAL AND SENTENCE OF BIRON, RUNAWAY NEGRO
SLAVE, BEFORE THE SUPERIOR COUNCIL OF
LOUISIANA, 1728.**

Transcribed and Translated by Heloise H. Cruzat.

TRANSLATION.

I

July 8, 1728.

Declaration and
complaint by Sr.
Soubaigne against
Biron, a negro.

In the Registry of the Superior Council of the Province of Louisiana appeared Sr. Jean Soubagné, planter, residing at Chantilly, who said and declared to us that he has a negro named Biran, coming from the cargo of the ship "L'Aurore," who has run away several times, and amongst other occasions yesterday at noon he absented himself, and the declarer, having been notified of his absence by his other negroes, started in pursuit and met him almost half way away from this city sitting amidst the cane; but having perceived him he fled into the depth of the woods. Having called him several times and seeing that he did not want to come to him, he fired off his gun at random to surprise him and compel him to surrender, which he would not do. On the contrary he ran still faster. The declarer having made a circuit in the woods found him sitting on the ground. When he caught sight of him he again fled and whilst running stumbled against a cane which caused him to fall. The declarer, to prevent him from rising, aimed at him and told him that if he moved he was a dead man, which compelled the negro to go with him to the house. On reaching there the declarer called a negro to put the runaway in irons. He jumped on his gun and made himself master of it, the declarer still holding it, seized the gun and the negro whilst awaiting help from the other negroes, and took the gun away from him for fear that he might fire on him, wherefore he makes the present declaration.

Done at New Orleans on the eighth of July, one thousand seven hundred and twenty-eight and signed

"Soubaigne."

II

To the Gentlemen of the Superior Council of the
Province of Louisiana:

July 10, 1728.

Charge by the Attorney
General against Biron,
a runaway negro slave,
owned by Soubaine.

Shows the Attorney General of the King that the negro named Biron, belonging to Sr. Soubagné, a planter at Gentilly, having run away several times, his master went in pursuit of him last Thursday to make him return to the house and to prevent his running away again; he seized his master's gun and would perhaps have used it against him had he not held him and disarmed him with the help of his other slaves, so that the gun was broken; and as this is rebellion against his master, all the more punishable from the fact that the number of negroes is increasing in this colony, and that one would not be in safety on the distant plantations, that this negro is now a prisoner. This considered:

May it please you, Gentlemen, to order that the negro Biron be interrogated before one of you to proceed afterwards as shall be necessary and that prosecution ensue until final judgment.

At New Orleans, July tenth, one thousand seven hundred and twenty-eight.

Signed: "Fleuriau."

Permit to have the aforesaid negro interrogated before Mr. Bruslé this 10th of July, 1728.

Signed: "Delachaise."

III

July 10, 1728.

Interrogation of the
negro Biron.

In the year one thousand seven hundred and twenty-eight, on the tenth day of July, at two o'clock in the afternoon, before us, Antoine Bruslé, Councillor in the Superior Council of the Province of Louisiana, on demand of the Attorney General of the King, plaintiff and accuser, was brought to the Registry in person by four fusileers of the Guard a negro named Biron, accused, to be interrogated, to which we proceeded as follows: Considering that he does not speak French, we officially appointed Samba, a Bambara negro, a Christian, after he had sworn to report faithfully to us the answers of the said Biron to the questions asked by us.

Interrogated as to his name, domicile, who is his master and his age, he said his name was Biron, a Bambara negro, and that he belongs to Sr. Soubannié.

Interrogated as to what was his intention in throwing himself on his master's gun when he brought him to his house, the interpreter repeated that he said that he had seized the gun only because he feared that his master might fire at him, that it was not in the intention of using it against his master and that when he seized the gun it was broken.

The present interrogation having been read to the interpreter he repeated it to the said Biron and reported to us that he said that it was the truth, persisted therein and as neither of them know how to sign they were challenged according to the ordinance.

Signed: "Brusle"

"Rossard clerk"

Marginal Note by
Attorney General:

I demand in the King's name that the said Biron be whipped at the foot of the gallows and sent back to his master, forbidding him to repeat the offense under penalty of corporal punishment. At New Orleans, July seventeenth, one thousand seven hundred and twenty-eight.

Signed: "fleuriau."

IV

July 17, 1728.
Judgment.

The Council, having heard the conclusions of the Attorney General of the King, declares the said Biran, negro, accused and convicted of having run away, in reparation of which he is to be whipped by the public executioner at the foot of the gallows, warning him, moreover, not to run away in future under penalty of much greater penalties.

Signed: "Perier"

"Delachaise"

"Brusle."

ORIGINAL TEXT.

I

8 juillet 1728.
Declaration et Plainte
par le Sr Soubaigne
Contre Biron negre.
No. 327.

Est Comparu au Greffe du Conseil Supérieur De la province de la Louisianne Sr Jean Soubagné habt demt a Chantilly lequel nous a dit et déclaré quil a un negre nommé Biran provenant de la cargaison du Vau L'aurore, lequel a fait plusieurs fois le maron et entre autre hyer a midy il sab-senta, et le declarant ayant été avertis par ses autres negres

de cet absence, Il courut apres et l'ayant rencontré presque a moitié chemin de cette ville assis dans les Canes, et l'ayant aperçu il Sen fuit dans la profondeur du bois, et l'ayant appelé plusieurs fois n'ayant pas voulu venir a luy il luy tira a coup perdu un coup de fusil pour l'étonner suellement et lobliger a se rendre ce quil ne voulu faire, au contraire il courut encore plus fort, le declarant ayant fait un circuit dans le bois le trouva par terre et lorsqu'il laperçut il se sauva encore et en courant il trouva une Canne qui le fit tomber par terre, le declarant pour l'empescher de se relever le Coucha en joüe et luy dit que Sil remuoit qu'il estoit mort cela obligea led Negre de se rendre avec luy a la maison, etyétant le declarant appella un Negre pour metre le maron aux fers il sauta sur son fusil—duquel il se rendit le maitre, le declarant tenant saisit son fusil et le negre, en attendant le secours de ses autres negres il luy osta de crainte qu'il ne tira sur luy dont et de quoy Il fait la presente declaration fait a la Nlle Orleans le huitieme Juillet mil Sept Cent Vingt huit, et a Signé

Soubagné

II

July 10, 1728.
28/86.

A Messieurs Du Conseil Superieur de la
province de La Louisiane

Expose le procureur general du roy que le nommé biran negre appartenant au sieur Soubagné habitant a gentilly ayant fait plusieurs fois le maron Lorsque son maitre fut jeudy dernier pour la chercher Et ayant voulu lepourvanter pour le faire revenir ala maison et lempescher de prendre encore La fuitte il saisit son fusil et sen fust peuestre servy contre luy sil ne lavoit pas saisy et désarmé a laide de ses autres esclaves de sorte que le fusil fut cassé et comme cest une rebellion Contre son maitre dautant plus punissable que le nombre des negres augmentant dans cette colonie on ne seroit pas en sureté sur tout dans les habitations éloignées et que ce negre est actuellement prisonnier ce considéré

Vous plaise Messieurs ordonner que par devant lun de vous bivan negre soit interroge pour ensuite etre procedé ainsy quil appartiendra et son proces luy etre fait et parfait jusqua jugement deffinitif A la nouvelle Orleans le dix juillet mil sept cent vingt huit

fleuriau

permis de faire interroger le negre

En question devant Mr Bruslé ce 10 juillet 1728

Delachaise.

III

Le 10 juillet 1728.
Interrogation du
negre Biron.

Lan Mil Sept Cent Vingt huit le dix^e jour
de juillet deux heures de Relevée Par devant
Nous Antoine Bruslé Conseiller au Conseil
superieur de la Province de la Louisianne a la Req^{te} du procureur
general du Ray demdr et accusateur aete amené au Greffe en sa
personne par quatre fuseliers de Garde Le Nomme Biron negre
accusé aleffet destre interrogé quql aeste procede ainsy qlensuit
ci attendu ql ne parle pas francois luy avons denommé doffice
Samba Negre Bambara chretien leql apres serment par luy fait
de nous Raporter fidellement les Reponces dudit Biron sur les
demandes quenous luy ferons

Interrogé de son nom, domicile et quel est son maitre et
son age

Adit Se nommer Biron, negre Bambara et ql esta Sr Sou-
bannie Interrogé aquel dessin ilsest jettesur le fusil de son
maitre Lorsql Leur Ramene dans sa Maison

Lynterprette nous a Raporte ql dit quil ne sest saisy du
fusil q parceql Craignoit que son maitre ne tirast sur luy et
que ce netoit pas dans le dessin de sen servir contre son maitre
et quen il se saisist du fusil il etoit Cassé

Lecture faite a Lynterprette de presente Interrogⁿ Leql
Layant Raporté audit Biron nous a Raporte ql dit quil Con-
tient Verite ql y apersisté et ne savent signer ny lun ny lautre
de ce Interpelle sur Lord^{ce}

Brusle

Rossard greffr

En marge:

Je requiers pour le Roy que led biran
Soit fouetté au pied de lechelle et renvoyé a
son maitre avec deffenses de recidiver sous peine de punition
corperelle. Ala Nlle Orleans le dixsept juillet mil sept Cent vingt
huit. fleuriau.

IV

du 17 juillet 1728.
Judgment.

Le Conseil ouy les Con^{ous} du procureur
general du Roy declare Led. biran Negre at-
teint et Convaincu de Maronnage pour Reparaⁿ de quoy sera fou-
etté par Lexecuteur de la haute juystice aupied de Lapotence
avis a luy de plus a lavenir de plus faire le Maron soubien plus
grande pennes.

Perier

Delachaise

Brusle

DOCUMENTS CONCERNING THE HISTORY OF THE INDIANS OF THE EASTERN REGION OF LOUISIANA.

BY THE BARON MARC DE VILLIERS.

Extract from "Journal de la Societe des Americanistes de Paris," New Series, vol. XIV, 1922, pages 127-140.

Translated by GEORGE C. H. KERNION.

The classification of the numerous Indian tribes established in Lower Louisiana seems a particularly delicate task to which Mr. John R. Swanton devoted, in 1911, a most important treatise, entitled: "Indian Tribes of the Lower Mississippi Valley and Adjacent Coast of the Gulf of Mexico" (Smithsonian Institute; Bulletin 43).

In preparing this work¹, Mr. Swanson examined with the greatest diligence all authors whose writings contain some information concerning the aborigines of Louisiana. There remains only a limited number of documents, dealing with the above-mentioned subject yet to be published, for the reason that our compatriots, realizing, from the time of their landing at Biloxi, the usefulness—nay, even the necessity—of conciliating the Indians, began since that time to study their languages, and to collect with care the names and the population of every village about whose existence they became informed.

It is certain that several dictionaries of Indian tongues spoken in Louisiana were forwarded to Paris, but unfortunately at that time no one was interested in American linguistics, and most of those dictionaries were handed over to missionaries, or consigned to contempt. We have, however, been able to discover two vocabularies of the Karankawa and Attakapa, published, with the collaboration of Doctor Rivet, in the "Journal de la Societe des Americanistes" (1919, vol. XI, pages 403-442). We reproduce further on, a list, drawn up by Le Sueur, of the names given by the Sioux to thirty-five rivers tributary to the Mississippi or to its affluents.

¹See also, among the publications of the Smithsonian Institute, the "Handbook of American Indians" (Bulletin 30); "A Structural and Comparison of the Tunica, Chitimacha and Attakapa language," by Mr. Swanton (Bulletin 68); the Bulletins 69 and 71 where Mr. David I. Bushnell describes the villages and burial places of the Indians of this region; finally the work of Mr. Gatschet, entitled "A migration legend of the Creek Indians" (Philadelphia, 1884, and St. Louis, 1888).

What caused this list—and we may say as much for other documents about which we are going to speak—to escape destruction was the fact that, before everything else, it appertained to geography. Science was fortunate in the fact that Claude Delisle and his sons, eminent collectors of geographical documents, made it a point to copy all reports of travels or other documents, that passed through their hands as geographers of the King.

Among the documents as yet unpublished concerning the ethnography or the geography of Louisiana, we are publishing today three that are particularly interesting, not only on account of the information they contain but also on account of their antiquity and the names of their authors. The first document relates an exploration of the Mobile River, accomplished in 1701, either by Sauvolle, commandant ad interim of the new colony during the absence of d'Iberville, or by a certain Lavasseur. The second document, forwarded in 1721 by Diron, at that time commandant of the fort of La Mobile, furnishes a list of the tribes forming the nations of the Alibamons, Kaouitas and Talapouches. The third document, dealing particularly with the Chaktas and the Chicachas, emanates from d'Iberville, and furnishes us with a detailed census of the Indians, of which his journal, dated March 26, 1702,² gives only the gross total. In 1701 and even in 1702, the French had been established for too short a time in Louisiana to be able to have any real knowledge of the distant nations; in fact it is a serious question as to whether or not the interpreters always correctly understood the Indians, and whether the latter, either through vanity or to obtain more considerable presents, were not often inclined to exaggerate the numbers and the importance of their tribes. Therefore, among the lists that are to follow, many a name may be imaginary, at least as that of a distinct tribe, and other names seem to be used twice for the purpose of enumeration. Furthermore, it must be observed that the three documents above referred to have been handed down to us only in the shape of copies. The second document was copied by hand in Paris, by a scribe of the *Compagnie des Indes*, and the other two documents are written in the hand of Claude Delisle—a fact that is an excellent guarantee of their faithful reproduction. It is nevertheless undeniable that the somewhat raucous sounds issuing from Chaktas' throats in 1701 have passed through many intermediaries, and too great importance should

²See Margry, Vol. IV, pages 519 and 601.

not be given to the orthography of the names, whose pronunciations are often very difficult to reproduce in latin characters.

The first document is entitled: "Travels of M. de Sauvolle, of the fort of the Bilochies or Maurepas, to the Thomies, on the Mobile river, for a distance of thirty-six leagues, from June 19, 1701, up to November, at different times."³

This recapitulating title appears somewhat strange from the fact that Sauvolle died on August 22, 1701. This, however, is explained by Delisle, who indicates that it was his custom to group together all documents appertaining to the same subject. Therefore we may well ask the question if the document that we publish has been, even leaving out of consideration the last two paragraphs, prepared by Sauvolle himself, or if the said document was not more probably drawn up by a certain Levasseur, master of a trading vessel.⁴

In reference to the date of May 28, written at head of this document, it must refer to a letter from which Delisle has borrowed only the news of d'Iberville's departure for France.

"From the fort of the Bilochies, this May 28th, 1701.

"M. d'Iberville left this port for France, after having delivered to M. de Sauvolle, commandant of this fort, the King's orders, so that they might be executed during the course of this present year.

"On June the 19th, I departed from this fort in birch bark canoe, with four canadians, to make the discovery of the Mauvilla river, which is located at a distance of nine leagues on the east of this fort, beyond a large bay or lake that has a depth of nine leagues. This bay is midway between this fort and that of the Spaniards at Pensacola, or Saint Marie de Galvez, which stands at a distance of twenty-eight leagues from here.

"At the end of this bay I found the arm of a river as wide as the Seine opposite the Invalides, and having a depth of at least two fathoms or at the most of eight fathoms. This arm is on the western side, and is at seven leagues' distance from the sea-shore; its course is northward in a winding way. In ascending this river, at twelve leagues distance from its mouth, I found another arm that is wider than the first, and flows also into the same bay on the eastern side.

"At this place, the river widens for more than one-fourth the distance of three leagues. And at the E. N. W., it feeds

³Archives Hydrographiques, vol. 115x, No. 17.

⁴See instructions left by d'Iberville to Sauvolle (Margry, IV, p. 463).

an arm that is one-half the size of this river. The savages informed me that this river came from the direction of the Carolina, that it required twenty days to go by canoe along this river, and that along its course were found Englishmen who had settled among the savages.

"On the banks of this river are located thirty-six savage nations, living in separate villages, according to the report of a savage that I have met in the country of the Mauvilla, who gave me all their names, but who informed me that those nations were not all very numerous, but nevertheless were dangerous for other savage nations on account of the weapons and ammunition that had been furnished them by the English. The first are the Alibamons, after whom this river is named."

(NOTE: To lessen the confusion in the orthography of the names of the tribes, and adopting the nomenclature of the "Handbook of American Indians," we have written in italic letters, and between parentheses, the names of such tribes as seem to be susceptible of identification. Those names that are preceded by an asterisk, are found, in a more or less modified form, in the second document.)

- *Alebamons..... (*Alibamu*).
- Napaches..... (*Napochies*).
- Aquemantes.
- Apicales..... Apica, a village situated on the right bank
of the river of the Apalaches.
- *Tomapa..... Tamompa, a village situated at two
leagues distance N. E. of Fort Tou-
louse.
- Outchatetcha.
- Lantalaoua.
- *Conchaque..... (*Conshac*).
- Maovie..... (*Mobile*).
- *Afatcheque.
- Ochouate..... (Occauh, a village on the river of the
Alibamons.)
- Maugoulacho..... (*Mugulasha*).
- Ouymatchet.
- Tontatchoboches.
- *Antatchee..... (*Antasi* or *Atasi*).
- *Touachee..... Touachas, a village situated near Mobile.
- *Taucoupatcha..... (*Tukabachi*).
- Talouatchee..... (*Tallahassee* or *Talasse*).
- Choualle..... (*Cheraw?*).
- *Outchialle.

- *Calouita..... (*Kawita*).
 Cheloquee..... (*Cherokee*).
 Quaquemattee.
 Aquitaletu.
 Ouacoussa.
 Ilapee..... Undoubtedly the Tilapanis shown on certain maps.
 Aimace.
 Talicatche..... (*Talakhucha*).
 Sontfala.
 Mopilla..... (*Mobile*).
 Choutace..... (*Chatow*).
 Couita..... (*Kawita*).
 *Atchitac..... (*Achiha* or *Chiaha*).
 *Tascqui..... (*Tuskegee*).
 Balita..... (*Baluxa* or *Billochi*).
 Gatchouia..... According to Mr. Swanton, the Guachioia were the ancestors of the Taensas.

"All these nations are joined to one another on the side of the river. The savage who told me so is a man belonging to the nation of the Maugoulacho, who lives with the nation of the Mauvilla. He assured me that the English were in daily contact with those nations, that they brought thereto horses loaded with wearing apparel, rifles, powder, lead and a quantity of other merchandise; that the savages gave them in exchange therefor tanned deerskins, untanned deerskins, wool, for the cattle in this country are covered with very fine wool of mouse-grey color; but the greatest traffic that the English engage in with the savages consists in the traffic of slaves which these nations obtain from their neighbors, with whom they keep up a continual warfare, and as a result of which their warriors bring in women and children, which they sell to the English for the price of a rifle for each person sold, a practice which results in the destruction of many nations that are neighbors of ours, among which the Pensacolas, the Mauvillas who are their nearest neighbors, being only five short days' distance away from them.

"On St. John's day, I passed a large cape or steep shore, on the left side of the river of the Mauvilla. I gave it the name of St. John on account of the feast day. From there we went to rest in a village of the nation of the Mauvilla, called Iagame minco, which means high land. There are seventeen huts built in the style of villages in Picardy, that is, with earth-

en walls, and covered with palm leaves with a network of split canes placed upon them to prevent the wind from blowing off the palm leaves. The chief is called Mananboullay, that is, 'the man who speaks well'; these savages call their chief 'ouga'. There are five villages of the nation of the Mauvilla, and about five hundred persons, including the women and children; each and every one of them have their dwellings on both sides of this river and they occupy six leagues of territory. I have found in this first village a cross that the savages informed me had been erected by the Spaniards, and two hogs which the savages also informed had come from the Spaniards. From this village I went to rest in that of Totechoco, also of the same nation, having also fourteen (sic) huts, like the first village. That of the Mauvilla is situated in a little stretch of territory that forms an island; it contains forty-two huts. All the men and young boys are very skillful in drawing the bow, and engage in the chase of the wild cattle, bear, deer, Indian fowl, of which they kill a large amount. Mostly all of them wear robes or covers of Indian fowl feathers, which they plait and assemble together. All this nation is of a very gay temperament; they dance and play continuously, except during the months of May and June, during which they all occupy themselves in sowing their Indian corn, their beans, pumpkins and watermelons, which they use as nourishment throughout the year.

"From there I went to rest at the village of the Thomees, who are their neighbors and friends; they number three hundred souls in all. At the beginning of their land, the river divides itself into three branches, and forms two very beautiful islands, uninhabited in several places, but adorned with fine peach trees, that I saw all covered with fruit, but of the quality of which I am unable to speak, as the fruit was then too green to eat, as well as with grape vines, with which all the banks of the river were covered. There are two great chiefs who are called 'ougas,' and three others, known as 'outactas,' who are, as it were, their lieutenants. This nation seemed to me to be more serious-minded than that of the Mauvilla, and to be more laborious. The women are very modest and almost all of them are clothed. They wear a sort of apron, made of the bark of the mulberry tree, woven and fashioned in a manner similar to our coarse cloths, and at the

bottom of this apron hangs a fringe that descends from the knees and which covers them. They have very beautiful black hair, done up like a baby's swaddling clothes (sic), which hangs down their back and of which they are very curious. The women in mourning for their husbands, cut their hair in line with their shoulders and wear it undone.

"Throughout the extent of territory of these two nations, I have seen no furs, except a few skins of cattle, deer and bear, that are not adorned with hair. The heat that prevails in this country prevents the finding of any good furs. There is nothing curious in this country. I have inquired of several savages as to whether or not they had knowledge of any metals in this region, and they have told me that they had none. They have shown me a few millstones that are useful to make rifle flints.

"The Thomees have a little lagoon near their village from which they obtain salt, which is of very fine quality and which they trade with other savages, disposing of some even to the Chactas, who are at seven days' journey from them. My intention had been to travel overland to this nation, but the intense heat had dried up the country to such an extent that I would have had to travel for seven days without finding a drop of water anywhere, so that being compelled to carry drinking water and food on my journey, we were forced, after the third day, to give up the attempt, after having suffered greatly. In coming back, I traveled on the eastern branch of the river of the Mauvilla, which is the one by which the Spaniards ascended. I then rested at the village of the Pensacollas, and the next day, in the morning, I passed the point at the river's entrance, from which I had started out. I had a cross eight feet in height constructed, which I planted on the bank of this river at the entrance to the forest.

"From the entrance of this river and up to the village of the Thomees, the country is very fine, being covered with very fine forests composed of fine white and red oaks, maples, beeches, birches, black aspens and chestnuts, that are larger than hogsheads. On the left, there are many very high lands on which grow very fine pines and other various trees. On the right side of this river the land is lower, and is subject to overflow in that part where grow the canes and reeds that border the river in several places. There are only thirty-six

leagues from the fort of Maurepas, formerly called the fort of the Bilochies, where we are now located, to the village of the Thomees. It would be very easy to go and come back therefrom by boat, and to establish in that place settlers, who would be able to get along afterward, and from whom we would derive more help than from any that could be located on the Mississippi, from the fact that no establishment (on the Mississippi) could be made except at the Oumas and at the Natchez, that are more than one hundred leagues distance away from here.

"Having returned to this fort, M. de Sauvolle sent the Sieur de Boisbriant to the Coulapissas (written on the margin: Coulupior'sas, on the shores of the sea, near lake Pontchartrain) to ascertain the fact as to whether it would be profitable to engage in the fishing of large mussel shells, in which the savages had assured us, pearls would be found. He (de Boisbriant) found none (i. e., large mussel shells) and is very certain that none are to be found thereabout, though the Spaniards claim to have found some formerly. The nation of the Thomes is very rich in Indian corn, beans and pumpkins . . ."

The second document, preserved in the archives of the Ministry of War, simply bears as title: "Extract from a letter of Diron dated June 28, 1721." (M.S.S. 2592, fo. 122.)

Three brothers known as Diron or Diron d'Artaguette, played an important role in the history of Louisiana. The first, Diron d'Artaguette, was Commissaire Ordonnateur from 1708 to 1710, and then returned to France; the second, about whom we are now concerned, landed in 1718 as captain, became commandant at Mobile, then Inspector General of troops; finally, the third, known as the Chevalier d'Artaguette, was killed in 1736, at the unfortunate attack on the fort of the Chicachas.

A lucky accident enabled us to discover, in a collection (of M.S.S.) the drawing which we reproduce further on; on the margin is simply written: "Received with the letter of M. Diron, concerning the course of the river of the Alibamons." Finally he sends a list of the Alibamon savages, containing the names of their villages, and the number of men in each of their villages:

The Cochatys (<i>Koasati</i>).....	30	
The Canachaquay, established in the same village as the Cochatys (<i>Canaake?</i>)	20	
The Tasquequis (<i>Tuskegee</i>)	40	
The Conchas (<i>Conshae</i>).....	40	
The Tamaytas (Tamastu, village situated below Fort Toulouse)	30	
The Aouachanyas (Ouachanya, village situated somewhat above Fort Toulouse).....	150	
The Tamaupas with the Bapiche Choucaloussa (Tamompa, village situated two leagues N. E. of Fort Toulouse) and (<i>Apalachee de Chilkalako</i>).....	200	
Paguan, village of the great chief, established on the river of the Talapouches (Pakan or Pacana was a village sit- uated on the right side of the river of the Talapouches near its junction with the river of the Alibamons)....	50	
	<hr/> 560	
Talapouches (<i>Talapoosa</i>)	The Taoutequis.....	15
	Coulomme (<i>Kulumi</i>)	50
	Fouchachy (Fusi-Hatchi, village on the river of the Talapouches)	30
	Afalque	30
	Tioulay (<i>Tiou</i>)	80
	Touachy (<i>Tawasa</i>)	30
	Attachy (<i>Atagi</i> or <i>Atasi</i>).....	100
	Toquipachy (<i>Tukabachee</i>)	100
	Tallechy (<i>Talasse</i>)	40
	Youfalas (<i>Yufala</i> or <i>Eufaula</i>).....	40
	Afalque Talleachy (.... <i>Talasse</i>).....	150
	Calla-Lechy (<i>Talesse</i> . These Indians were also sometimes called Calles, and some- times called Callahasse).....	40
	<hr/> 715	
Cahouytas (<i>Kawita</i>)...	The Village of the Emperor.....	60
	Cachitas (<i>Kashita</i>)	200
	Chouachy (<i>Chaouacha</i>)	40
	Ouachy (<i>Washa</i> or <i>Ouachitas</i>).....	50
	Oumoulquay	80
	Achitay	60
	Apalacha Coutay (<i>Apalachee</i>).....	150
	<hr/> 640	

General total: 1,955 warriors.⁵

⁵Mentioned by Mr. Gatschet: "A Migration legend of the Creek Indians," 1, p. 131.

The third document is found inserted among notes of various sources, collected by Claude Delisle. We have extracted from one folder* only what appertains to Louisiana and Florida.

"Three nations of Mounismas of 100 Floridien men,
settled near the cape..... 300 men
Three to four nations of Ayamalesse (*Yamasse*),
friends of the English..... 1,400
Nine villages of Timoncua (*Timucua*)..... 900
Apalaches, eleven villages of 200 men each..... 2,200
Nine villages of Appachicola, friends of the English,
are located on the Apalachicola river. From these
villages, to reach the English of Saint George,
they go straight west. The English of Saint George
have in their control, near their camps, the savages
known as follows: Canete, Casistre, Ausouches
(*Osotchi*), the Tamas (*Tamali?*), *Yamassesse*
(*Yamasse*), Chiloquese (*Cherokee*), who are use-
ful to serve (sic, and near them. All these nations
aggregate approximately 1200 to 1,500
The Apalachicoli number about..... 2,000
The Apalaches may have 800 reliable warriors (sic) 8,000

The Governor of Florida can easily muster 2,000 Indian men, leaving the villages protected.

From Apalache to Saint Augustine, 80 leagues east. From Apalache to Apalachicola, 80 leagues north. From Saint Augustine to Apalachicola, 120 leagues to 130. From Pensacola to Apalaches, 60 to 70 leagues.

From the Chicachas to the village of the Chaouanons, near the Carolina, by pack horse, six days. A man without baggage can negotiate the distance in five days.

The Chicachas, fifteen huts at 150 leagues distance from the Bilocchy. Taogaria, at 12 leagues distance therefrom, 200 men.

From the Taogaria to the Taly, one and a half league, where there was an Englishman with merchandise worth 2,000 livres (pounds), who had located at the Chicachas, 12 1 (leagues).

From the Tali to the Casquinampo (*Kakinomba*) two leagues, 300 men.

From the Casquinampo to the small village of the Chaouanons, 20 leagues, 100 men.

From this small village to the large one, seven days' journey overland, 400 men.

From the village of the Chaouanons to the English of Charleton, 40 leagues.

*Archives Hydrographiques, 115x, No. 24.

The English travel to and fro on horseback up to Casquin-ampo.

From the small village of Chouanon, overland, to the large village, four leagues."

After a few notes concerning the Illinois is found a little sketch drawn by Delisle, showing the respective positions of the Taogaria and of the two large villages of the Chikachas, in reference to the Margot river, a tributary of the Mississippi. Below this sketch is inscribed: "Sketch made by M. d'Iberville," and then come the following lists:

FAMILY OF THE CHAQTA. LARGE VILLAGE.

Ougahouslasla Chaquela.⁷

Ayanabe augoula (<i>Ayanabi</i> village)	30 huts
Bauctoucoula (<i>Bogue Toocola</i> village)	40
Coincha thoucoua logoule (<i>Concha</i> village)	33
Ougilousa	30
Boucfalaya (<i>Boucfouca</i> village)	20
Yty thipouta	30
Pouscouiche tacase (<i>Pooscoostekale</i> village)	40
Mogoulacha (<i>Mugulasha</i>)	50
Yachou (<i>Yazoo</i>)	40
Cachetacha (<i>Casseta</i> village)	40
Tohia sale	20
Cafeta saya	20
Abiska Thocologoule (<i>Abihko</i> village)	40
Bitabogoula	20
Suabonloula	10

462 huts

⁷The manner in which Claudé Delisle wrote at times his t makes it often hard to distinguish his t's from his l's.

Thicacho oulasta	20 huts
Bouctoucoulo (Bauctoucoula)	40
Ahipata bita Brugoula (Bauctoucoula)	60
Boulistache (Bauctoucoula)	40
Iscananba Thousena Togrul	30
Abiska (Abihka village)	20
Touacha (Taouchas village)	20
Albamon (Alibamons)	50
Itouichacou	30
Mogoulacha	10
Yacho	20
Calouche	10
Tabougoula	10
Thata tascanan gouchy	40
Touacha thoucoua togoule	30
Bitabougoula	60
Tolistache	30
Ocouhinan	23
Alibamon cheusare Lagoute	30
Onsacousba	30
Abisca	40
Choutoua togoule	30
Busca	10

 683 huts

CHICACHA.

Apile faplimengo	10 huts
Ayarraca	20
Tolatchao	40
Tascaouilo	20
Chatata	30
Gouytola	20
Tanyachilca	50
Ayehoguiya	10
Thouquoa fola	30
Onthaba atchosa	50
Thanbolo	40
Sebafone	40
Thoucaliga (Thuskawillas)	50
Ayebisto, fortified village	30
Alaoute	60
Oucahata	40
Oucthambolo	40
Chinica	8

The totals of these two lists, viz: 1,146 and 588, differ somewhat with the totals of 1,190 and 590 mentioned in the Journal of d'Iberville.

A certain number of these names, as for example Abisca and Abiska, Yacho and Yachou, Bouctoucoula and Bauctoucoule, Mogoulacha, must evidently be repetitions, even in the cases where the number of huts stated are not alike. Nevertheless, in spite of their inevitable errors and the doubts that may arise concerning the orthography of those names, those two lists present a very interesting enumeration and will help to fill many a gap now existing in the history of the Indians now classified in the lingual family of the Muskogean.

POSTS		SETTLERS			Servants of French	Slaves		Horned Cattle	Horses
		M	W	C		Negroes	Indians		
MOBILE	Fort Louis of Mobile....	66	70	63	15	160	74	284	41
	Village of the Apalachas or Saint Louis.....	11	9	17	1	32	15	32	.....
	Village of the Mobilians..	1	1	2	.....	1	.....	.....	.....
	Village of the Fourches..	5	2	5	5	16	7	8	.....
	Village of the Tonies....	6	4	10	.....	21	6	2	1
	Village of Naniaba.....	3	1	1	.....	4	.....	.....	.....
	Village of the Apalaches or Petit Ecor.....	5	4	.....	1	.....	.....	1	.....
	Village of the Taensas...	3	.....	.....	.....	.....	.....	.....	.....
Total of Mobile and dependencies		100	91	96	22	234	102	327	42
Dauphine Island		6	5	17	.....	7	8	57	.....
The Alibamons		13	.....	.....	.....	.....	.....	.....	.....
Total of the three Posts		119	96	113	22	241	110	384	42

Tableau attached to Diron's letter.



THOMAS JEFFERSON AND GOVERNMENT BY PARTY.

*By Percy Saint**

The apologists and champions of conspicuous men are sometimes the innocent causes of most of the adverse criticism of them; it is better to tell the unpleasant truth about those we admire than to exaggerate their virtues; hiding unpleasant truths about people, especially notable historical characters, is unfair to everybody; exaggerating the virtues of a person is unjust to that person, for it places one at a disadvantage which may at any time be expected to cause embarrassment and provoke useless defense. Human nature without defects is an impossible condition; the defects of the Disciple Peter and the Apostle Paul, and the foppishness and vanity of Julius Caesar, helped rather than hindered their force and usefulness: "Say nothing but good of the dead" does not suggest hiding the truth. The human side of great men makes their lives interesting; to feel and know that they were human just as we are, gives hope and ambition to be like them in point of usefulness and to attain the ends and stations in life which they have attained; to hide all of the defects, foibles and follies of the great is to discourage rather than to encourage and warn. Of course, carping criticism of the defects of historical characters will be regarded as gratuitous and presumptuous and does more harm than good, but discriminating reference to these human defects along with great deeds and achievements serves to warn against the former and heightens the ambition to emulate the latter.

The immortal author of the Declaration of Independence was one of the distinguished victims of human defects in himself as well as of the defects in others, and his vagaries led to the bitterest animosities, so much so as to lead numbers of contemporaries and historians to believe him somewhat of a demagogue. Thomas Jefferson's studied acts, prescribed and conventional conduct, evidently planned to show off his democracy and attachment to the "people" were at times very spectacular. At the tender age of fourteen he dramatically ex-

*Judge Saint read this paper before the Louisiana Historical Society May 29, 1923. He uses his title to place the political ideals of Jefferson's life in contrast with some doctrines of today and to suggest whether we are not forgetting the founders of the Republic.—EDITOR QUARTERLY.

claimed that: "If I am to choose between an education and the estate my father left me, give me the education"; he began early to make ostentatious speeches which were designed to cause him to be talked about and to attract attention as a school boy. As a student of the law he brought himself into the limelight, the front page of a Monday daily as we would now express it—by a spectacular rejection of the maxim of Sir Matthew Hale that Christianity is part and parcel of the laws of England. This speech together with flippant expressions which were not regarded as quite conventional nor orthodox is probably the cause of the belief that Jefferson was an atheist; later in life he gave further cause for uneasiness and much talk by boldly expressing his admiration for, and attachment to, the principles and writings of Thomas Paine.

Jefferson entered public life at an early age after acquiring a large and lucrative practice at law, and upon his entry into public life he thought it necessary to make his first appearance with a striking speech; so he proclaimed his brave resolution for the benefit of his constituents: "never to engage while in public office, in any kind of enterprise for the improvement of my fortune nor to wear any other character than that of a farmer." The first part of this brave speech was very good, and it should now suggest itself to present day official inefficiency, but this future political philosopher was not a farmer and could accomplish nothing with the title except a few votes on election day; he was a brilliant and successful lawyer but mistook a country gentleman with a handsome country home for a farmer, and paid the penalty for his delusion; he stuck to the first part of his resolution and succeeded in public office but failed in trying to wear the character of what he was not, a farmer. But the taint of demagogism did not stick to him long, for six years later, at the age of thirty-two, he entered Congress where he began that wonderful career which closed with his name foremost among statesman of the world. At the age of thirty-three, he had linked his name imperishably with the birth of a nation, and he is one of the few men in history about whom Americans never tire of reading, and is decidedly one of the men whose life and works must be studied by anyone who desires to know the true history of our republican form of government, and the fundamental principles and ideals upon which this nation and government rest.

Thomas Jefferson's fame has been cheapened by the zeal of some of his apologists, in that they have made the necessity for apologies appear when there was in point of fact no need of them; the association of his name with the idea of super-man is most regrettable; for one to convey such an idea through early history is to imply that all men of history who have followed him were pygmies; this neither adds to the fame of the former nor tells the truth about the latter; while he was the foremost statesman and politician of his or our time, he, like all of us, was made of clay; and while the bitter criticisms and political scandals bruited by his political enemies were untrue and unjust, he possessed many vagaries, and there is no impropriety in reciting some of these amiable weaknesses instead of continually burning the incense of apology to his name.

One of the curious and unexplainable kinks in the master mind of Jefferson was his unfair and unreasonable treatment of a few men he should have attached himself to with his love and admiration instead of his treatment of them, especially men like Patrick Henry. Jefferson and Henry were born and reared near each other in the same State and practically neighbors; of the conspicuous Democrats and leaders of the Revolutionary period, Henry was decidedly not the least in consequence; he was a born democrat and leader of men and lived the life of a pure democrat and patriot; he staked all on the issue of separation from the mother country when Jefferson was a boy, and this started him on the road to fame and usefulness which seemed to nettle Jefferson who never forgave him for starting first; Jefferson made Henry a target for years for no apparent reason whatever, and there has been no apologist of Jefferson who seemed at ease in making excuses or trying to justify this most unfortunate weakness in his hero, for Jefferson understood men as well as any man who ever lived and there was no excuse for his not understanding Henry, for the reason that every one who knew him did understand him but Jefferson.

Jefferson's treatment of Patrick Henry, while inexcusable, caused less friction than his hatred for other men, for the reason that Henry was not a political partisan, which fact makes Jefferson now appear in a less favorable light; he knew that Henry was an unselfish, broad and earnest pa-

triot, who devoted more of his time to the cause of his country than to his own political advancement.

As we look back through the history of Jefferson's times, it does appear that Jefferson's hatred and bitterness towards John Marshall was foolish and short-sighted. Marshall was not only the greatest judge who had appeared for centuries, but he was also an earnest, true and genuine patriot, and was as unselfish and sweet-natured as was Patrick Henry. Had it not been for the poise, ripe judgment and splendid balance of Marshall, Jefferson would have undoubtedly made more mistakes than he did. Marshall, while not friendly to Jefferson, acted as a great restraining force, and prevented Jefferson at times from surrendering altogether to the mob. As an illustration of this, at the time of the trial of Aaron Burr before Marshall—a time when it was almost impossible for Burr to get a kindly feeling from any one, Jefferson was leading mob thought and mob violence, and had it not been for Marshall's wonderful sense of justice and regard for human liberty and human rights, that trial would have ended in an outrageous persecution, without a semblance of justice or mercy. When we contemplate the fact that Jefferson at that time filled the exalted position of President of the United States, we are prone to wonder what excesses he would not have permitted himself to be led into, but for the restraint of this marvelous judge.

Of course, some of Jefferson's animosity towards Marshall was due to political bias and prejudice. When Marshall returned from France, after having rebuked the wily and corrupt Tallyrand, he became a popular idol, and had he possessed any portion of Jefferson's eagerness to become President of the United States, he would, in all probability, have been the third President, in place of Jefferson. This fact annoyed Jefferson, and led him into most of his inexcusable hatred and animosity towards Marshall.

It is a mistake continually to burn the incense of praise to Jefferson's name, and entirely overlook all of those weaknesses and foibles which he undoubtedly possessed in a very large measure. The unusual feature of it all is that Jefferson could have been so unreasonable and intolerant towards all great rivals and still have developed, as he did, into one of the greatest and most enlightened statesmen of all times, and the most successful politician of his time.

Now, the value of these observations is, that the standards accepted by the early leaders of America for the purpose of laying the foundation upon which this nation and government rest, and the clinging steadfastly to these standards as ideals, constitute the qualities of leadership which made for success; that this success was not due to any mysterious or supernatural power possessed by men, that the human equation was the same at that time as it is today, and that efficiency is just as attainable now as it was then because it all depends upon the same human equation. The lesson taught by the success of these human creatures is, that if leaders are selected with regard to the importance of the stations they are to fill, the result will be just as satisfactory, for capable men who reach success consistently accept standards which have the approval of human experience tending towards the ideal, the only true source of conceptions of what ought to be now.

The name of Thomas Jefferson is more conspicuous in everyday public proceedings and political matters than that of any man in the history of this country, for the reason that he is the patron saint of one of the great political parties of America; he was the first and greatest leader of the Democratic Party, and as long as the two present political parties dominate the public affairs of the Union, Jefferson's name will be the most conspicuous. Jefferson was a Democrat in politics as well as a democrat in habits of life and of thought; we are required to use the capital D and the little d; he was what we might term a Herbert Spencer democrat; he believed in the greatest individual liberty consistent with the rights of others; his democracy meant the "common good of all"; he was an aristocrat only in that he believed in the aristocracy of merit—"the best to govern," and unless we Democrats, spelled with both letters, recognize this latter principle, we confess to being wrong in principle and inefficient in fact and action, for this is the distinguishing feature between democracy and mobocracy—"the best to govern." The elder Pitt and his followers in England were aristocrats only in that they stood for the best for leadership and thought in politics and government; Pitt and Jefferson could stand consistently on the same platform—both of them stood for best principles, best ideas, and best leaders in politics and government—"the

best to govern." This is the only logical conclusion to reach, because it is the only rule or principle that will give the "common good of all." Jefferson said in his first inaugural address: "We are all republicans; we are all federalists." The new conception of democracy—that of a wholesale reduction of all things and all matters to one common level for all purposes to accomplish the "common good of all"—is not democracy; it is mobocracy in America and Bolshevism in Europe; the best men and best ideas to govern do not come from reducing the best to the level of the worst; the best ideas came from education and training; the best principles come from education and training; the best men come from education and training, and if the common good of all is to be attained, it will be by education and training, and not by reduction to a common level, retrogression, and ultimately stand-patism in politics, law, morals and business. The A. E. F. went to France to preserve "the best to govern" and the "common good of all," and it won; in Russia the mob lost, for they did not fight to preserve the best; everything, everybody and every condition was reduced to a common level for all purposes, the best was reduced to the level of the worst—and we know the rest. The best in the Colonies won the Revolution and gave the best foundation upon which to build; the best met at Independence Hall in 1776, and the best gave us a Constitution in 1789, the best ideas and best men of the time gave us constitutional government, and the best ideas of the best men gave us economic and industrial supremacy of today. So, democracy does not mean government by mob whims and mob desires; it means the best to be had in morals, ideas, politics and men; this is what Jefferson taught; it is the true Jeffersonian democracy.

While Jefferson appeared to be a great man of the people and often expressed himself as being their servant and subject to their instructions, he must necessarily have regarded aristocracy and democracy as joint products. His rare accomplishments as a public official and wonderful contributions to the science of Government must necessarily have impressed him that these things could not spring from the collective judgment of a large number of people; he must have known and felt that a superior mind and superior training were necessary to accomplish anything worth while.

He was an eye-witness to, and an active participant in, the greatest events for the benefit of the human family that have occurred in all history; he was in a position to observe the matchless skill and leadership of Samuel Adams, the great wisdom and thought shown by Benjamin Franklin and other great makers of history at the time. In view of all these facts and this condition, Jefferson was bound to have known that this government could not have been brought into existence without the very highest type, character, mind, unselfishness and wisdom, none of which could have existed without great thought, much training, wide experience and unselfishness; in other words, it was these traits which go to make the compound of aristocracy of merit. Jefferson did not try to teach that aristocracy meant utter inequality and that democracy utter and indiscriminate equality. It may be hard for some to reconcile aristocracy with democracy, but this can be attributed to the mistake of regarding democracy as a fetish, and regarding aristocracy as a scorned condition of men's minds.

It is a fact not to be disputed that a small number of men made this government and governed it until we conceived the foolish and childish idea that every boy has a chance to be president of the United States. This may sound threadbare and commonplace, yet it illustrates the extreme view now taken of the great science of running a government. We know that a small per cent of the people become scientists or specialists in one particular line, we know that a small per cent of the people are musicians, physicians, lawyers, and men skilled in other vocations which require highly specialized mental capacity; this applies as much to government and governing as it does to any other science.

Thomas Jefferson was the great apostle of liberty, and when we read some of the present-day criticisms of what he accomplished, and, it might be said, the ridicule heaped upon his great declarations, we wonder how far we are liable to drift from the old moorings, and where we would find this nation, this government, if what we sometimes read was drawn to the logical conclusion suggested to justify such ridicule and criticism. Of late we have read a great deal about democracy and its failures, as well as the prophecies of the decline in the power and hope in the great Constitution. This

character of literature serves no good purpose at this time. Jefferson helped to establish a government which requires organized self-restraint to perpetuate it; if this government is weakened or destroyed it will be by perversion of those who live under the government.

The point of interest is, what has Thomas Jefferson left this time and generation that we should turn back to him for direction and knowledge? Was he a mere rhapsodist, or was he a realist? The American colonists did not enjoy political nor economic freedom under King George and his Parliament; they revolted and Jefferson was the Chairman of the committee appointed to draft a declaration of Independence, and he did as directed, but in language which now seems rhapsodical and unreal to some, and if we are to take shackled conditions of some minds now struggling against self-imposed despotism, we must agree that Jefferson was a mere rhapsodist and that America has been living in a fool's paradise for more than a century because nothing has come to the American people as a result of the Declaration of Independence. If we are permitted to use Constitutional government and our American institutions as the sole result of the Revolution and the Declaration only, we are justified in refusing to agree to the charge against Jefferson. But why moralize about this matter in a dispute? Simply because the worst enemies of democracy, the greatest drawback to progress, enlightened thought, freedom of action and education, are found in false propaganda and wild theories about democracy and American institutions. Jefferson's moments of rhapsody and unreality were followed by years of the very best constructive and directive thought; he left more realities for present-day enjoyment and use than almost any man who ever lived in America.

In America there is freedom of thought; if there is any perversion of this, it is due to ignorance—there is freedom of religion, and there is no perversion of this—there is freedom of the press; if there is any perversion of this, it is generally due to immorality of the individual and not interference by the State. The only complaint, aside from this new doctrine we have just read about, is, that there is too much liberty in a democracy. That men often mistake license for liberty is a general complaint among American writers, and this is sometimes a right view, but the liberty of the press is more often

misused than abused. Teaching false doctrine, we sometimes read, is a misuse of the freedom of thought and of the press. The demand of the hour is for constructive thought, and not for ghostly abstractions and fine metaphysical lancet handling of pundits; good, healthful and robust thinking in terms of our fundamental constitutional institutions is the kind of activity and mental industry our writers and speakers should be engaged in, instead of vague viewpoint books and speeches which do nothing more than create doubt, uncertainty and indifference.

If the youth of this country are taught that they have individual liberty, and that individual liberty carries with it individual responsibility, and if by living up to that doctrine we know he will be free and independent in his manhood to perform the duties of citizenship, it is wrong if not vicious, to cloud his mind with all sorts of new and false philosophy.

Granting all criticism of Jefferson to be correct and true, there will be found better direction, better counsel and a knowledge of high moral ideas about society, government and community interests than will be found in many of the modern books written for the purpose of improving conditions in America. If the same time which is now wasted in the reading of so many of these books by our modern apostles of gloom was given to the reading of the teaching of Thomas Jefferson and such men, a great many of the evils which we now complain of in our democracy and our form of government could be more easily eliminated; and it is very probable that if we turn back and study the standards of such men, we would soon come to the conclusion that most of our complaints are the result of ignorance and that most of the evils we see are more apparent than real.

Jeffersonian democracy is one of the boasted legacies of the past; yet, there is no part of our history which has been worse perverted and more misunderstood. Thomas Jefferson was a party man; he believed in party politics and government by party; he believed in the doctrines of the Democratic party, as we now designate his political party, for he gave the party nearly all of its doctrines; but Jefferson did not impart to his party all of its methods, especially its latter day methods; while he sacrificed some things for party orthodoxy, he was more efficient than regular, nearer to the right than the

expedient, and clung closer to doctrine than discipline; his present-day successors have less regard for fundamentals and doctrine than they have for the main chance—the great object of modern politics, to win. “We are all democrats; we are all republicans,” was Jefferson’s profession of faith, but this is not Jeffersonian democracy now; there is no such doctrine alive now to be exalted above party discipline, for, as Carlyle has said, the political party of Jefferson has made of democracy, “a self-cancelling business,” as it is now directed in national affairs. Years of struggle, ups and downs, eagerness and love of flesh pots have contributed to making “representative institutions, a free and broad electorate—in a word all the paraphernalia of democracy, a matter of mere palaver and ballot-boxes.” If we are to take our presidents as samples of Jeffersonian democrats since the presidency of Jefferson himself, we find our choice confined to John Quincy Adams and Grover Cleveland; both of these stalwart men stood for all that Jefferson taught fundamentally; if the party leaders, party promises, and party performances were right they stood by the party discipline; but if all, or any, of these elements proved false they would balk and boldly proclaim it regardless of consequences—they were Democrats of ideal and principle first, and Democrats of method last. The present Republican Party sometimes swings the incense to the name of Jefferson, but its historians have been too cautious to boast of the same pride of ancestry as the opposing party historians have always done with tongue and pen. The only notable president the Republican Party has given to the Union is the noble Abraham Lincoln, a statesman and politician of the very highest type. There is nothing particularly inspiring about anything the Republican Party has done, except its claim to saving the Union and liberating the slaves; but this great honor belongs more to Charles Sumner and Abraham Lincoln than to any political party; it was Lincoln’s genius and great mind and heart that curbed the excesses, extravagances and stupid intolerance of the Republican Party, and this gives him rank next to Thomas Jefferson as a president and party leader.

If some of the Jeffersonian-Democratic promises of today were squared with some genuine Jeffersonian performance, the great party which bears his name might lead to a solution of some of our grave problems instead of making confusion

worse confounded from day to day. Let us get back to some of the old ideas of these old people, and let us follow them wherever they lead; they made us what we are and can secure us in what we are and have; political defeat and disappointment may sometimes be the result to the individual, but independent constructive thought is a better leader than party discipline. This does not mean party destruction, it means party construction, development and betterment. And while we are in the mood for being warned, let us not permit our faith in Jefferson to be destroyed by false philosophy and ghostly abstractions—the Declaration of Independence and the Constitution are realities after all; and let us remember that history and experience of nations and governments teach that, while “popular government makes many mistakes, and sometimes it is slow in finding them out; but when once it has discovered them it has a way of correcting them, it is the best kind of government in the world, the most wisely conservative, the most steadily progressive, and the most likely to endure.”

**DONATION BY THE STATE OF LOUISIANA TO THE
FAMILY OF THOMAS JEFFERSON, 1827.**

AN ACT OFFERING A TRIBUTE OF GRATITUDE TO THE FAMILY
OF THE LATE THOMAS JEFFERSON.

WHEREAS, After a life devoted to the service of his country, and that of the whole human race, Thomas Jefferson died, leaving no inheritance, save the example of his life and the gratitude of the people whose independence he had proclaimed to the world, in language worthy the representatives of a great nation, and whereas the Legislature of Louisiana, a state acquired to the Union by his wisdom and foresight, in grateful remembrance of the illustrious citizen, to whom they are indebted for the blessings of political and civil liberty, wish to perpetuate, to the latest posterity, the memory of their deep sense of the unrivalled talents and virtues of their benefactor, Therefore,

SEC. 1. *Be it enacted by the Senate and House of Representatives of the State of Louisiana*, That the sum of ten thousand dollars, in stock shall be forwarded by the governor to Thomas Jefferson Randolph, in trust for his mother, Martha Randolph, and her heirs.

SEC. 2. *And be it further enacted*, That for the payment of said stock, the governor shall execute in the name of the state one or more bonds transferable by delivery bearing an interest not exceeding six per cent per annum payable yearly and redeemable in ten years or sooner if so determined by the Legislature.

OCT. LABRANCHE,
Speaker of the House of Representatives.

AD. BEAUVAIS,
President of the Senate.

H. JOHNSON,
Governor of the State of Louisiana.

Approved, March 16, 1827.

This gift was duly made, and in 1828 (act No. 38) the Legislature amended it so as to make the bonds assignable and the interest payable semi-annually.

THE DIARY OF SURGEON CRAIG, FOURTH LOUISIANA REGIMENT, C. S. A., 1864-65.

By John S. Kendall.

The document printed below is a contribution to the military history of the State of Louisiana. It consists of the diary kept by J. M. Craig, surgeon in the Fourth Louisiana Regiment, in the Confederate Army, during the march of that command through Georgia, Alabama, and Mississippi, in the closing months of 1864 and the first part of 1865. Mr. Craig kept a memorandum of the casualties in the command, and a copy of this has been appended as of historical interest. These papers were preserved by Judge J. G. Kilbourne, of Clinton, La., and were copied by me in 1899. Captain R. L. Pruyn, of Baton Rouge, who examined them at this time, also vouched for their genuineness.

The Fourth Louisiana Regiment has a particular claim to be remembered in Louisiana, because its second colonel was Henry Watkins Allen, afterwards brigadier general in the Confederate service, and war-time governor of the State. When the Civil War began there was in existence in Baton Rouge a militia organization known as the Delta Rifles. At that time Henry M. Favrot was its captain, and in the ranks were not only Allen, but Dudley Avery, M. W. Barrow, A. Broussard, David Duvall, A. V. Dubroca, St. Clair Favrot, F. F. Palmes, and others who afterwards became prominent in the State. John McGrath, later a prominent citizen of Baton Rouge, was first sergeant, and A. D. Barrow was first corporal. The Fourth Louisiana Regiment was, in reality, an outgrowth of the Delta Rifles. When it became apparent that war was going to occur, Allen obtained authority from the State officials to recruit a regiment. Through his exertions a number of militia companies were assembled at Camp Moore, near New Orleans. They were grouped around the Delta Rifles, which was the nucleus of the organization. Among these companies were several old militia organizations, like the Hunter Rifles, the West Feliciana Rifles, the Lafourche Guards, and the Packwood Guards, which were incorporated into the new regiment. To these were added the requisite number of new companies, and on May 25, 1861, Lieutenant Pfeifer mustered

the regiment into service, with Robert I. Barrow as colonel and Allen as lieutenant colonel. Barrow, however, was an elderly man, and the actual command soon passed into the junior officer's capable hands.

The first service of the Fourth Louisiana was along the coast of the Mississippi Sound. The companies were stationed at various towns, from Ocean Springs to Bay St. Louis. In the autumn of that year, however, they were assembled and sent to Brashier City, La., (Morgan City, as it is called today), where a camp of instruction was formed. Parts of the regiment were also assigned as garrisons to the neighboring forts. In February, 1862, the regiment was ordered to join Albert Sidney Johnston's army at Corinth, Tenn. It served with great brilliancy through the two days' battle at Shiloh, and was one of the regiments engaged in the desperate fighting near the Hornet's Nest. Colonel Allen was wounded in the face at this point, and the Delta Rifles lost five men killed. The regiment also took part in the skirmishing at Ten-Mile Creek, and then, after a period spent in camp at Corinth, was ordered to Edwards' Station, Miss. While camped at this place the companies were detailed in rotation to work on the batteries being erected under Colonel Allen's supervision at Vicksburg. Finally, the entire command was added to the garrison in that city, and remained during the so-called first siege of Vicksburg.

The Fourth Louisiana formed part of Breckenridge's force sent to attack Baton Rouge in September, 1862. In the fighting here Colonel Allen was badly wounded, and many of his officers were killed or injured. The regiment fell back to the Comite River, but a few weeks later, the enemy in the meantime abandoning Baton Rouge, it was sent back to the city as a part of the garrison.

The Fourth Louisiana was the first regiment to enter Port Hudson. It was busy for several months in building the works at that point. In March Allen was promoted to be brigadier general, and A. C. Hunter was made colonel of the Fourth in his place. On May 1, 1863, the regiment was sent northward to intercept Grierson's raiders, but, failing to do so, was diverted to Jackson, Miss., arriving just in time to share in the siege of that place. The regiment was then sent to Enterprise, Miss., to prevent an advance of Federal cavalry threat-

ened in that direction, and accomplished this important duty by smart manoeuvring and hard marching. It was thereupon ordered to Mobile, Ala., and was in garrison there until January 1, 1864, when it was dispatched to Dalton, Ga.; but after lying inactive in the trenches at that place for some weeks, it was sent back to Mobile. In May, 1864, the command was ordered to Marietta, Ga., and was detrained in order to reënforce immediately the troops at New Hope Church where a hot fight was in progress. It was next engaged at Kennesaw Mountain, where, in spite of a position on the right flank, high up on the hills, it lost several men killed and wounded.

On July 19th, 1864, the Fourth Louisiana was transferred to General Randall Gibson's brigade, and remained under that gallant officer during the rest of its existence. It was under fire towards the end of the battle of Peachtree Creek, July 20, and was hotly engaged for upwards of twelve hours at Ezra Court House, on August 2. Two whole companies were captured by the Federals after desperate resistance before Atlanta on August 5. At Jonesboro the regiment bore the brunt of the fighting and was shot to pieces, only a handful of men surviving.

This almost complete annihilation of the Fourth at Jonesboro, led the Confederate military authorities to decide to amalgamate the few surviving members with the Thirteenth Louisiana, which had likewise lost heavily. The combined commands were placed under Colonel Hunter. The consolidated organization was one of the first to enter Florence, Ala., after a sharp engagement with the Federals there. The sufferings which these troops endured during the great retreat through Alabama and the subsequent advance to Nashville, cannot be described. Severe cold, constant rain, roads knee-deep in mud, protracted marches and a miserable commissariat were some of the causes which contributed to their pitiable plight. At the battle of Franklin the regiment was in reserve, but came under fire at intervals. It took an active part in the fighting at Nashville. On the day following the battle of Nashville, the few survivors were divided, part being put on picket duty at a gap among the hills, three miles south of Franklin, and the remainder sent on detached service elsewhere. The former detachment was attacked by the Federals during a

heavy fog and captured. The latter, however, escaped this fate. Numbering now only a score or so of ragged and hungry men, this tiny unit was added to the Sixteenth Louisiana, with which organization they continued to serve until January 12, 1865, when the Sixteenth Louisiana Regiment was partially reorganized. On February 3, 1865, this war-worn remnant arrived in New Orleans and a few days later was among the valiant few who defended Spanish Fort, in one of the last actions of the war.

The exact losses of the Fourth Louisiana have never been compiled. But from the battle of New Hope Church, May 27, 1864, to the end of the campaign in Tennessee, the killed and wounded were 233. The Fourth went into this campaign with 360 officers and men, and the Thirteenth with 340 officers and men—a total of 700. When captured near Franklin, the combined commands numbered 60 officers and men, of whom 40 belonged to the Fourth. At Jonesboro the Fourth lost 64 men killed and wounded out of 104 present for duty. This is probably not the highest record for casualties of the Confederate Army, but unquestionably is very high.

It may be of interest to reprint here the roster of the Delta Rifles, as that was the organization out of which the Fourth Louisiana developed. The available lists are those of the command at the beginning of the war:

OFFICERS

H. M. Favrot, Captain	L. S. Hereford, 2nd Lieutenant
O. M. LeBlanc, 1st Lieutenant	N. W. Pope, Jr. Lieutenant

NON-COMMISSIONED OFFICERS

John McGrath, 1st Sergeant	A. D. Barrow, 1st Corporal
J. C. Patrick, 2nd Sergeant	F. Richard, 2nd Corporal
E. M. Dubroca, 3rd Sergeant	L. S. Lobdell, 3rd Corporal
Geo. C. Lemmon, 4th Serg't	A. B. Dubroca, 4th Corporal

PRIVATES

Allen, H. W.	Denham, William	Nolan, J. T.
Allain, Augustin	Dirmeyer, Chas.	Nesbit, J. R.
Avery, Dudley	Edmonston, J.	Palmer, F. F.
Alverson, C.	Favrot, St. Clair	Patrick, C. A.
Bergeron, T. J.	Flower, Joseph	Pruyn, R. L.
Bergeron, Charles	Gorham, D. B.	Pope, Marshal
Barrow, M. W.	Gibson, A. V.	Poncelvier, Frances
Bradford, B.	Guy, Pierre	Quiggins, O. J.
Blanchard, S.	Garig, G. M.	Read, A. E.
Brown, Joseph	Hillen, T. B.	Roberts, C. A.
Brown, L.	Hereford, J. B.	Reynaud, L. F.
Brown, Joshua	Humphrey, A.	Ricker, H.
Bernard, Philip	Henderson, Steve	Retzner, A.
Bernard, Louis	Hebert, C. A.	Robertson, T. C.
Brown, Edward	Jewell, F. L.	Stuart, J. B.
Babin, B. F.	Jerreau, J. T.	Sanchez, Joseph
Babin, T. W.	Jetter, W. J.	Sparks, Abner
Blotin, J. E.	Kepler, William	Skofield, O. P.
Broussard, A.	Kitchen, William	Skofield, S. W.
Browman, M. S.	Kendall, John I.	Shanks, Sam
Carmouche, E. A.	LeBlanc, M. O.	Shanks, Joseph
Clark, W. B.	Lancaster, C.	Stannard, J. H.
Cooper, W. H.	Lejeune, Theo.	Smith, B. S.
Conner, H. M.	Lejeune, Enos	Thibodeaux, A.
Conner, Matt	Legendre, D.	Theodore, O. L.
Cooley, Ben C.	Lafiton, P.	Trudeau, Joseph
Cunningham, P.	Lamon, A.	VanPelt, J. V.
Cheatham, F. A.	McCausland, M.	Vignes, J. D.
Chinn, Chas. H.	McCausland, Geo.	Walsh, H. C.
Corlies, W. H.	McCrindell, W. S.	Walsh, H. H.
Carl, J. C.	McKay, Angus	Wallace, H. T.
Carl, Henry	McHatton, F.	Weathersby, S.
Duralde, J. V.	Magruder, J. B.	Waddill, R. A.
Devall, David	Morgan, T. J.	Yersan, J. P.
Dubroca, A. V.	Metivier, L.	

Almost every member of this company was promoted to be a commissioned officer during the war. In one case three private soldiers were taken from the Delta Rifles to become the officers of another company of the Fourth Regiment. This was in the case of the National Guards, which, when reorganized after the first siege of Vicksburg, received R. L. Pruyn as captain, David Devall as lieutenant, and John Irwin Kendall as second lieutenant. Captain Pruyn had an interesting career. He served as a member of a fife and drum corps in the Mexican War. He was residing in Baton Rouge at the out-

break of the Civil War, and was among the first to respond to the call for troops issued by Colonel Allen. He was present with the Delta Rifles at the occupation of the United States arsenal in Baton Rouge. He took part in the battles of Shiloh, Baton Rouge and New Hope Church, and the siege of Vicksburg, Port Hudson and Atlanta. While in Port Hudson he successfully carried important messages from General Gardner, the commandant, to General J. E. Johnston, risking his life in a series of daring trips through the enemy's lines. In one of these expeditions he swam the Mississippi through the Federal fleet. • He was personally commended by both Gardner and Johnston for his courage and address. When Port Hudson surrendered, he and a few other daring spirits declined to submit and made their escape by swimming down the Mississippi beyond the limits occupied by the Federals. After the battle of New Hope Church he was commissioned major and returned to Louisiana, where he recruited a battalion and commanded it during the remainder of the war.

The promotion of Captain Pruyn caused Lieutenant Devall to be advanced to be captain of the National Guards. He was captured with the remnant of the company after the battle of Nashville, and was sent to Johnson's Island, in Lake Erie, where he was confined until the close of the war.

THE DIARY.

Sept. 1st, 1864.—Left the bloody field at Jonesboro, under a severe shelling from the enemy. Marched back to within 7 miles of Atlanta, 14 miles.

Sept. 2nd, 1864.—Left camp at daylight, marched all day, 15 miles.

Sept. 3rd, 1864.—Rained. Marched all day, halted at McDonough at dark, 14 miles.

Sept. 4th, 1864.—Left McDonough at sunrise and marched to Mt. Carmel Church, 5 miles.

Sept. 5th, 1864.—Rested all day.

Sept. 6th, 1864.—Moved into a good camp at Stevens' Mill, 2 miles, remained here until the 17th.

Sept. 17th, 1864.—Rained, marched to Lovejoy Station, 7 miles.

Sept. 18th, 1864.—Marched to Fayetteville, 8 miles.

Sept. 19th, 1864.—Rained, marched to Palmetto, 12 miles.

Sept. 20th, 1864.—Marched to Petersburg, where we remained until the 29th, 2 miles.

Sept. 26th, 1864.—President Davis visited the army today.

Sept. 29th, 1864.—Left Petersburg in the evening, marched 4 miles.

Sept. 30th, 1864.—Marched from camp 3 miles from Chatahoochie River to Dark Corner, 14 miles.

Oct. 2nd, 1864.—Left Dark Corner and marched through the rain until 8 P. M., 10 miles.

Oct. 3rd, 1864.—Marched to Lost Mountain by 12 M., 8 miles.

Oct. 6th, 1864.—Left Lost Mountain at 8 A. M., and marched to Dallas, in the rain and mud, 12 miles.

Oct. 7th, 1864.—Left Dallas at 8 A. M., and marched to within 2 miles of Van Wert, going 15 miles.

Oct. 8th, 1864.—Marched from daylight until dark, and halted one mile beyond Cedartown, going 16 miles.

Oct. 9th, 1864.—Left Cedartown at 9 A. M., and passed through Care Springs, halted within 2 miles of the Coosa River at 9 P. M., 14 miles.

Oct. 10th, 1864.—Left above place at 5 A. M., halted at dark, 16 miles.

Oct. 11th, 1864.—Left camp at 6 A. M., marched until 8 P. M., when we halted at Oustenada River, 20 miles.

Oct. 12th, 1864.—Crossed the river, our regiment and the 18th went on a scout as far as Calhoun, returned at 9 P. M., and continued the march until 3 A. M., when we halted not far from Resaca, 22 miles.

Oct. 13th, 1864.—Left camp at 8 A. M., halted near Snake Creek Gap, 4 miles.

Oct. 14th, 1864.—Marched to Snake Creek Gap, and rested until sunset, when we commenced moving, halted near mouth, 3 miles.

Oct. 15th, 1864.—Left the Gap at sunrise, marched 15 miles.

Oct. 16th, 1864.—Marched 3 miles.

Oct. 17th, 1864.—Left camp at 4 A. M., marched until 3 P. M., passing through Summerville, after having crossed the Chatooza River, 18 miles.

Oct. 18th, 1864.—Marched from camp, crossed the Alabama line, 12 miles.

Oct. 19th, 1864.—Left camp at 9 A. M., marched until dark, halted at Blue Pond, 15 miles.

Oct. 20th, 1864.—Marched to within 8 miles of Gadsden by dark, 10 miles.

Oct. 21st, 1864.—Left above camp at 8 A. M., marched until 3 P. M., when we halted one mile beyond Gadsden, 9 miles.

Oct. 22nd, 1864.—Left Gadsden at 4 P. M., marched 3 miles.

Oct. 23rd, 1864.—Left at daylight and marched to within one mile of Lick Skillet Crossroads, 16 miles.

Oct. 24th, 1864.—Left at sunrise and passed through Brookville and Summit on Raccoon Mountains, 20 miles.

Oct. 25th, 1864.—Finished the trip over the mountains and camped near the base at dark, 12 miles.

Oct. 26th, 1864.—Left at sunrise, marched in the rain and mud until dark, camping two miles north of Summerville, 16 miles.

Oct. 27th, 1864.—Left camp at 6 A. M., marched in mud until 4 P. M., hardest march of the trip so far, 19 miles.

Oct. 28th, 1864.—Left camp at 10 A. M., halted within 3 miles of Courtlandt, Ala., at 7 P. M., 19 miles.

Oct. 29th, 1864.—Left at sunrise, halted at Leighton, 15 miles.

Oct. 30th, 1864.—Left Leighton at daybreak, marched to the Tennessee River, commenced to cross in pontoon boats at 4 P. M. The Yankees evacuated Florence very hastily, as soon as our cannon opened fire upon them from the bluff. We marched into the town about 7 P. M. and met with a very cordial welcome and slept in houses. From the 30th of October to the 20th of November, were encamped in and about Florence, and among other amusements threw up a line of works all around the town.

Nov. 20th, 1864.—Left Florence at 7 A. M., marched 12 miles.

Nov. 21st, 1864.—Marched to Sugar Creek, 10 miles.

Nov. 22nd, 1864.—Marched to West Point; had some snow, 8 miles.

Nov. 23rd, 1864.—More snow; weather bitter cold; marched 10 miles.

Nov. 24th, 1864.—Camped 3 miles north of Haneyville, 16 miles.

Nov. 25th, 1864.—Marched to Mt. Pleasant, our regiment was left as provost guard; marched 12 miles.

Nov. 26th, 1864.—Rain, marched to near Columbia, Tenn., 8 miles.

Nov. 27th, 1864.—Took position, marched 2 miles.

Nov. 28th, 1864.—Marched to Columbia, remained on provost guard, marched 2 miles.

Nov. 29th, 1864.—On duty policing.

Nov. 30th, 1864.—Marched rapidly to Franklin, where a severe battle was fought in the evening in which we were not engaged—22 miles.

Dec. 1st, 1864.—Marched to camp north of Franklin, 3 miles.

Dec. 2nd, 1864.—Marched to near Nashville—12 miles.

Dec. 3rd, 1864.—Marched to new position one mile, built works. Fourth regiment on picket duty. J. E. Chaney killed; remained quietly in works, with no other movement than that incident to a change of position, until the 15th when the enemy attacked all along the line. About 9 A. M. we received orders to be ready to move either to the right or left, where the lines had been broken. The enemy finally flanked our position on the left, and that part of the line gave way in some disorder. During the night we fell back and established a new line about 3 miles in the rear of the old one.

Dec. 16th, 1864.—The enemy attacked early in the morning before we had our works completed. Fighting was constant all day, the right and center, where we were, repulsed every attack with ease; but the left broke again about 3 P. M., allowing the enemy to flank our position, when we had to retire in the utmost confusion. The rout was complete; all organization for the time being lost; Major Pullen, Lieutenants Giles and Quicksell, and a few privates were captured at the works. The retreat continued for 9 miles when we bivouaced in the mud in the midst of a heavy rain.

Dec. 17th, 1864.—Resumed the march at daylight, halted at a place known as Hollow Tree Gap, where the regiment, together with the 30th Louisiana, both under command of Colonel Hunter, were sent back some half mile to picket the Gap, and in less than half an hour all that were present of both regi-

ments were captured; continued the retreat, our brigade (Gibson's) bringing up the rear; we passed through Franklin towards Columbia, marching 28 miles.

Dec. 18th, 1864.—Passed through Columbia and took the Pulaski Pike, marching 18 miles.

Dec. 19th, 1864.—Continued retreat, marching 4 miles.

Dec. 20th, 1864.—Going again; it was very cold, and in the evening commenced raining; which soon produced a coating of ice over everything. The suffering in bivouac was conceded to be the greatest ever experienced by the army of Tennessee. Marched 25 miles.

Dec. 21st, 1864.—Passed through Pulaski and camped, 5 miles.

Dec. 22nd, 1864.—Left at daylight. Went into camp at 2 P. M., 18 miles.

Dec. 23rd, 1864.—Left camp at 10 A. M. Marched until 4 P. M., 12 miles.

Dec. 24th, 1864.—Left camp 9 A. M. Camped near School Creek; 16 miles.

Dec. 25th, 1864.—Christmas, and a miserable one; the troops forded School Creek, a stream 150 yards wide, water up to their waists; were not permitted, after crossing, to build fires and dry their clothes, but were marched hurriedly to the Tennessee River and commenced throwing up breastworks. Marched 5 miles.

Dec. 26th, 1864.—Crossed the Tennessee River, marched 6 miles.

Dec. 27th, 1864.—Left camp at 11 A. M., and marched nearly to Tuscumbia, 4 miles.

Dec. 28th, 1864.—Started at 11 A. M., passed through Tuscumbia and marched to Barton's Station on the M. & C. R. R., 11 miles.

Dec. 29th, 1864.—Weather very cold, started at daylight, and marched to Big Bear Creek, the troops following the railroad. Went into camp at 2 P. M., within 6 miles of Iuka, Miss. 12 miles.

Dec. 30th, 1864.—Left camp at 1 P. M., crossed Big Bear Creek, went into camp after dark in the midst of a heavy rain. Next to the night at Pulaski, the most miserable of the campaign. 5 miles.

Dec. 31st, 1864.—Weather very cold, left camp at 8 A. M., passed through Iuka at 9 A. M. Camped near Burnville on the M. & C. R. R. 10 miles.

Jan. 1st, 1865.—Left camp at 8 A. M., and marched to within 2 miles of Jacinto, going 5 miles.

Jan. 2nd, 1865.—Left camp 8 A. M., passing through Jacinto. Went into camp 3 miles beyond Rienzi on M. & O. R. R., marching 14 miles.

Jan. 3rd, 1865.—Started at 8 A. M., camped near Burnville on M. & O. R. R. 12 miles.

Jan. 4th, 1865.—Left camp at daylight; the country abounds with swamps and marching is very tedious and fatiguing. Went into camp at dark near Baldwin. 12 miles.

Jan. 5th, 1865.—Left camp at daylight. Camped one and a half mile beyond Saltillo, 14 miles.

Jan. 6th, 1865.—Left at daylight and marched through the rain to Tupelo, going 8 miles.

Jan. 12th, 1865.—The Fourth Louisiana Regiment was this day detached from the Sixteenth Louisiana and in a measure reorganized; was ordered out to brigade camp 2 miles from Tupelo, 2 miles.

Jan. 18th, 1865.—Clear and pleasant. Received order this evening to be ready to move tomorrow at 10 o'clock, to what point unknown, but supposed to be South Carolina. Our band serenaded Generals Beauregard and Hood.

Jan. 19th, 1865.—Ordered to be ready to move at a moment's notice. General Gibson went to Tupelo, had a conference with General Taylor and on his return informed us we would be sent to Mobile and that all orders which had been issued were revoked. Great rejoicing.

Jan. 23rd, 1865.—Cloudy and very cold; some snow last night; orders to be ready to move tomorrow at 10 A. M. for West Point.

Jan. 24th, 1865.—Clear and cold; movement postponed for today.

Jan. 25th, 1865.—Clear and very cold, the ground frozen very hard. Left camp at 8 A. M., arrived at Verona 11 A. M.; left at 1 P. M.; the roads horrid; stopped after dark 6 miles from Oklona, after marching 21 miles.

Jan. 26th, 1865.—Clear and cold; left at 9 A. M., passed through Oklona at 4 P. M., having marched through a terrible

swamp, ice three-quarters of an inch thick, after breaking through which we came to mud of an indefinite depth. 13 miles.

Jan. 27th, 1865.—Clear and cold; left at 9 A. M. The ground yet frozen very hard, and the roads extremely rough; stopped at 4 P. M. 10 miles from West Point, marching 19 miles.

Jan. 28th, 1865.—Clear and cold; the weather beginning to moderate a little; left at 9 A. M., arrived at West Point at 12 M. The brigade marched down the railroad and I found them in camp. O. O. Cobb, Adjutant of the Sixteenth Louisiana, was my companion on this ride from Tupelo to West Point, going 12 miles.

Jan. 29th, 30th and 31st, 1865.—Quiet in camp.

Feb. 1st, 1865.—Left West Point on the cars at 10 A. M., arrived at Meridian at 6 P. M., remained one hour, then ran down to Enterprise, where we stayed all night.

Feb. 2nd, 1865.—Rain; left Enterprise at 8 A. M., arrived at Mobile 6 P. M.; slept in car shed.

Feb. 3rd, 1865.—Rain; went to Camp Moore on St. Francis Street near Ann. This ended the round campaign in which we traveled by railroad more than 620 miles, and marched 874 miles without counting the incidental marches. Lost in killed and wounded in the regiment, 233 men. On the 17th of December, 1864, the balance were captured. This ended the history of as gallant a body of men as ever took up arms in this or any other cause.

J. M. CRAIG,

Surgeon, Fourth Louisiana Regiment.

List of killed, wounded and captured in the Fourth Louisiana Regiment from the battle at New Hope Church, May 27th, 1864, to the end of the campaign into Tennessee:

FIELD AND STAFF

E. J. Pullen, Major, July 28th, 1864, right arm and breast, slight.

John Gills, Ensign, July 28th, 1864, lumbar region, slight.

B. S. Daniels, Sergeant Major, August 31st, 1864, right shoulder and lung.

J. M. Doyle, Adjutant, August 31st, 1864, head, severe.*

*Of the field and staff, the only members now living, so far as we know, are Judge J. G. Kilbourne, of Clinton, La., and Dr. J. M. Craig, of Amite City, La., and Lieutenant Colonel Pennington, living at Lake Providence.—Note appended to original MS. by Judge Kilbourne.

COMPANY A, HUNTER RIFLES

Corporal Wm. R. McAdams, May 27th, left arm amputated.

Private Royal Collins, June 4th, killed.

Private W. Heatherington, July 4th, neck, severe.

Private C. L. Sparkman, July 28th, captured.

Private John Morgan, July 28th, head, slight.

Private Lawson F. Reames, July 28th, left hand, slight.

W. Hays, July 28th, left arm, severe.

Private E. W. Hobgood, July 28th, face, severe.

Private Jason McAdams, July 28th, arm and side, severe; died on August 6th.

Sergeant S. Lambert, July 28th, thigh, severe.

Sergeant James Marston, July 28th, head, severe.

Private W. P. Chapman, July 28th, killed.

Private S. B. Williams, July 28th, killed.

Sergeant D. Thompson, July 28th, right breast, slight.

Lieutenant Wm. A. Knox, July 28th, right leg amputated.

Sergeant H. W. Johnson, Aug. 8th, shoulder, hand and breast.

Private J. A. Morgan, Aug. 8th, left arm amputated.

Private W. W. Matthews, Aug. 8th, right knee, slight; never quit the field.

Private Hampton M. Lea, Aug. 8th, concussion of brain.

Captain A. T. Geister, Aug. 31st, right lung; died in Atlanta, Oct. 20th.

Sergeant Thomas L. Johnson, Aug. 31st, killed.

Corporal Howel W. Johnson, Aug. 31st, wounded severely in hip; died in Macon Hospital nine days after with gangrene.

Sergeant J. D. Worsham, Aug. 31st, left hip and lung, severely.

Private Ed Cambell, Aug. 31st, left wrist, severe.

Private J. A. White, Aug. 31st, left shoulder, severe.

Private H. W. Cook, Aug. 31st, mouth, severe.

Private Jno. W. Bradford, Aug. 31st, head and arm, severe.

Private Dave Pratt, Aug. 31st, captured and exchanged Sept. 22nd.

Private W. Yarbrough, Aug. 31st, killed.

Private M. Griffin, Aug. 5th, captured.

Private Pryor W. Lea, Aug. 5th, captured and died in prison.

Private J. Besler, Aug. 31st, captured.

Private W. A. Thompson, Aug. 31st, captured and exchanged Sept. 22nd.

Private Joseph E. Chaney, Dec. 4th, killed. Total—34.

COMPANY D, WEST FELICIANA RIFLES

Private William Laurens, May 27th, killed.
 Private D. T. Sulser, May 27th, slight wound.
 Private J. H. Hobgood, July 4th, contusion of arm.
 Private John Atchinson, July 22nd, contusion of thigh.
 Private S. D. Scott, July 22nd, killed.
 Private John Seeders, July 28th, contusion of abdomen, slight.
 Private R. Doherty, July 28th, head.
 Private D. Lovemire, July 28th, left wrist, severed.
 Private A. C. Key, July 28th, leg contused slightly.
 Private McD. Whiteman, July 28th, foot contused slightly.
 Private John Gibson, July 28th, right leg, slight.
 Private James Vicaro, July 28th, left arm.
 Sergeant C. C. Gore, July 28th, right leg amputated.
 Corporal A. D. Lana, July 28th, killed.
 Private L. Castenhoffer, July 28th, contusion in side, slight.
 Corporal J. T. Tenny, July 28th, killed.
 Private Thomas Dawson, Aug. 7th, killed.
 Private Leo Pillet, Aug. 7th, right thigh amputated; died Aug. 12th.
 Private F. Haralson, Aug. 7th, hand and side, severe.
 Lieutenant D. McCarthy, Aug. 7th, left thigh, severe; died.
 Private William Gore, Aug. 7th, killed.
 Private Alonzo Klein, Aug. 7th, killed.
 Private L. Gostenhoffer, Aug. 7th, killed.
 Private C. D. White, Aug. 7th, in face, slight.
 Private Chas. Swayze, Aug. 7th, killed.
 Private V. Grosjean, Aug. 7th, slight.
 Private A. H. Pillet, Aug. 7th, concussion.
 Private F. Pillet, Aug. 7th, concussion.
 Private John Seeders, Aug. 31st, captured; exchanged Sept. 22nd.
 Private Ed. Whiteman, Aug. 31st, captured; exchanged Sept. 22nd.
 Private V. Fortier, June 15th, captured.
 Private C. Fisher, June 15th, captured.
 Private James Fletcher, June 15th, captured.
 Private M. G. Gaither, June 15th, captured.
 Private L. McCrindell, July 2nd, captured. Total—35.

COMPANY B, NATIONAL RIFLES (GUARDS)

Sergeant B. Buckley, July 28th, left leg, severe.
 Sergeant A. Scott, July 28th, shoulder, slight.
 Private M. Snyder, Aug. 5th; died on 6th.
 Sergeant John Chaillet, Aug. 31st, killed.
 Sergeant Chas. McGuire, Aug. 31st, mouth and right arm; died Sept. 5th.

Private J. M. Barron, Aug. 31st, head, slight.
Corporal S. L. Gibson, Aug. 31st, left leg, severe.
Private M. Vellandi, Aug. 5th, captured.
Private T. Crosby, Aug. 5th, killed.
Private M. Donahoe, Aug. 5th, captured.
Private J. Mulvihill, Aug. 5th, captured.
Private M. Magornan, Aug. 5th, captured.
Private M. A. Roberts, Aug. 31st, captured.
Private John Ryan, Aug. 31st, captured.
Private Joseph Gaspard, Aug. 31st, captured.
Private L. Ragan, Aug. 31st, captured. Total—16.

COMPANY E, LAFOURCHE GUARDS

Sergeant Arthur Roman, May 2nd, shoulder, slight.
Private H. C. Brasset, July 23rd, left thigh, severe.
Sergeant L. A. Roustan, July 23rd, groin, slight.
Private Joseph Babin, July 28th, killed.
Sergeant L. A. Roustan, July 28th, killed.
Private A. Geautreaux, July 28th, killed.
Private S. Bourgeois, July 28th, killed.
Private James McDonald, July 28th, hand, severe.
Private S. Hevert, July 28th, right arm, severe.
Sergeant Tim Hanly, July 28th, right hand, severe.
Private L. A. Roessel, July 28th, leg and breast, severe.
Private O. P. Babin, July 28th, breast, severe.
Corporal I. L. Boney, Aug. 7th, killed.
Private Robert Torey, Aug. 7th, left leg amputated.
Private A. P. Geautreaux, Aug. 7th, killed.
Private D. P. Robecheaux, Aug. 7th, ankle, slight.
Private Henry Sparks, Aug. 7th, killed.
Private A. Levron, Aug. 31st, right arm amputated.
Private M. Nary, Aug. 31st, captured and exchanged
Sept. 22nd. Total—19.

COMPANY F, DELTA RIFLES

Sergeant A. Allen, May 27th, hand.
Private T. Lejeune, killed.
Lieutenant W. J. Jeter, July 28th, killed.
Private J. E. Sanchez, July 28th, left wrist, severe.
Private William Broussard, July 28th, killed.
Private Robert Cooley, July 28th, slight.
Private P. Bernard, July 28th, slight.
Private S. Frasier, hands, severe.
Private A. Leclercq, July 28th, left shoulder fractured.
Private John Smith, July 28th, right knee, slight.
Private A. Teaneaux, July 28th, left thigh, severe.
Sergeant J. H. Stannard, Aug. 5th, concussion.
Private Pierre Gaudier, Aug. 9th, left groin, slight.
Private H. Lasergne, Aug. 31st, arm and head, severe.
Private A. H. Lammon, Aug. 31st, captured; exchanged
Sept. 22nd. Total—15.

COMPANY G, HUNTER RIFLES

Private Carl Taylor, May 27th, killed.
Private O. P. Jelks, May 27th, face, severe.
Private R. Vinson, May 27th, head, severe.
Sergeant H. P. Grashear, May 27th, arm, slight.
Private William Perry, July 28th, slight.
Private W. B. Jones, July 28th, left arm, slight.
Corporal H. Huston, July 28th, head, slight.
Private J. H. Burns, July 28th, left side, slight.
Private James Corbell, July 28th, killed.
Private William Daugherty, July 28th, right shoulder, slight.
Sergeant F. D'Armand, July 28th, left hip, severe.
Private William Dixon, July 28th, left cheek, severe.
Private A. Porcio, July 28th, right thigh, severe.
Private P. A. Green, July 28th, right thigh amputated.
Private Robert Bell, July 28th, left thigh amputated.
Sergeant John D'Armond, July 28th, killed.
Sergeant Hugh P. Brashear, July 28th, killed.
Sergeant W. C. Smith, July 28th, slight contusion.
Private H. Hopgood, killed.
Lieutenant P. J. Scott, Aug. 31st, killed.
Sergeant W. C. Smith, Aug. 31st, killed.
Private H. W. Dawson, Aug. 31st, killed.
Private L. Packer, Aug. 31st, killed.
Corporal L. Kent, Aug. 31st, killed.
Private J. M. Doyle, Aug. 31st, killed.
Private Tim Drawdy, Aug. 31st, killed.
Private Chas. Lee, Aug. 31st, killed.
Private T. Taylor, Aug. 31st, right hand.
Private J. W. Veirs, Aug. 31st, captured; exchanged Sept.
22nd.
Private John Merryman, Aug. 5th, captured.
Private William Merryman, Aug. 5th, captured.
Corporal Harry Huston, Aug. 5th, captured.
Private Frank Perry, Aug. 5th, captured.
Private William Perry, Aug. 5th, captured.
Private L. Rogers, Aug. 5th, captured.
Private Geo. Rogers, Aug. 5th, captured.
Private Janus Rogers, Aug. 5th, captured.
Private Timothy Doughty, Aug. 5th, captured.
Private Geo. Bell, Aug. 5th, captured.
Private John B. Zug, Aug. 5th, captured.
Private W. H. Robinson, Aug. 5th, captured. Total—41.

COMPANY H, TIRALLIEURS

Sergeant N. Hevert, May 2nd, hand, slight.
Private C. Hevert, July 22nd, foot, slight.
Private L. Kirkland, July 25th, ankle, slight.
Sergeant B. A. Hevert, July 28th, right side, slight.
Private A. Blanchard, July 28th, head.
Private L. Isaacs, July 28th, killed.
Private P. Crochet, July 28th, killed.
Sergeant T. White, July 28th, killed.
Corporal John Renaud, July 28th, left side, slight.
Private P. Daigle, July 28th, head, severe.
Private A. Landry, July 28th, left foot, severe.
Private P. Martin, July 28th, slight.
Corporal J. Doiron, Aug. 31st. Total—13.

COMPANY I, ST. HELENA RIFLES

Corporal J. M. Wright, May 27th, arm, severe.
Private W. D. Selph, June 30th, arm, slight.
Private M. C. Williams, July 28th, left thigh, severe.
Private W. B. Womack, July 28th, left foot, slight.
Private C. D. Strickland, July 28th, contusion, slight.
Private H. Knippers, July 28th, contusion of the thigh.
Private A. P. Richards, Aug. 5th, right leg, severe.
Corporal J. S. Allen, Aug. 7th, left heel, severe.
Private John H. Womack, Aug. 12th, killed.
Private A. C. Dean, Aug. 18th, left leg, severe.
Sergeant T. W. Zachary, Aug. 31st, killed.
Private P. W. Addison, Aug. 31st, killed.
Private T. B. Nippers, Aug. 31st, killed.
Private T. G. Bruer, Aug. 31st, killed.
Private W. N. Hyde, Aug. 31st, killed.
Private Merritt Hutchinson, Aug. 31st, killed.
Private S. C. Corkeran, Aug. 31st, killed.
Private Geo. W. Womack, Aug. 31st, killed.
Private S. G. Watson, Aug. 31st, captured.
Private W. B. Self, Aug. 31st, captured.
Private M. R. Carter, Aug. 31st, wounded and captured.
Sergeant S. W. Kent, Aug. 31st, both legs.
Private A. Greuer, Aug. 31st, right shoulder, severe.
Private C. D. Strickland, Aug. 31st, thigh, severe.
Private W. D. Self, Aug. 31st, right hip.
Private H. Nippers, Aug. 31st, right arm, severe.
Private J. W. Watson, Aug. 31st, right shoulder, severe.
Private W. T. Bennett, Aug. 31st, left hip and head.
Lieutenant J. D. Killian, Aug. 31st, left cheek and shoulder.
Private J. Dalliett, June 30th, captured. Total—30.

COMPANY K, PACKWOOD GUARDS

Private William Peterson, May 27th, killed.
Private Alex Murphy, May 27th, killed.
Private J. M. Pratt, June 25th, head, slight.
Private John Rayborn, July 4th, contusion, side, severe.
Private William Campbell, July 25th, back, severe.
Private J. M. Murray, July 28th, left side, slight.
Private Isaac Lee, July 28th, hand, severe.
Lieutenant G. A. W. Steadman, July 28th, hand, slight.
Private R. Brown, July 28th, thigh, severe.
Sergeant A. G. Cook, July 28th, killed.
Private J. C. Morgan, July 28th, killed.
Private P. B. Van Norman, July 28th, contusion, slight.
Private Morgan Morgan, July 22nd, right arm amputated.
Private William Phillips, Aug. 9th, right arm, severe.
Private John Robinson, Aug. 9th, left thigh amputated.
Sergeant J. A. Marchant, Aug. 31st, left arm amputated.
Private J. W. Oliver, Aug. 31st, leg.
Corporal J. W. Lipscomb, Aug. 31st, left side, slight.
Corporal W. A. Drehr, Aug. 31st, side and head, severe.
Corporal J. C. Knighton, Aug. 31st, back, slight.
Private Stephen Jones, Aug. 5th, killed.
Captain G. H. Peckwood, Aug. 5th, captured.
Private A. R. Carles, Aug. 5th, captured.
Private G. W. Ward, Aug. 5th, captured.
Private C. Jackson, Aug. 31st, captured; exchanged Sept.
22nd.
Private A. Jackson, Aug. 31st, captured; exchanged Sept.
22nd.
Private John Peterson, Dec. 16th, right arm amputated.
Total—27.



THE DEATH MASK OF NAPOLEON*

AT THE CABILDO, NEW ORLEANS.

By Olivia Blanchard.

The history of Napoleon's wars and victories, his occupation of the French throne and annexation of various other kingdoms, is the history of France, England, Germany, Holland, Spain, Italy, Russia, etc., with Napoleon as star actor in the great European epic. But for the history of the actor himself, we instinctively turn to St. Helena. There we find "The Man." That indeed is the "Last Phase." Suffering and death revealed him as he was, and Antommarchi has preserved this for the world. David's famous painting of Napoleon in coronation robes illustrates the pomp and glory of the French court; Antommarchi shows us Napoleon himself.

When, in 1819, four years after his incarceration in his Island prison, Napoleon's health was failing, his family and friends sought for a physician who would not only be willing to share his exile but who would be sympathetic to the lost cause as well as congenial to Napoleon. Dr. Francois Antommarchi was chosen by Madame Mere and Cardinal Fesch, and with, of course, the consent of the English Government, was sent in company with Father Vignali to share the illustrious exile's captivity.

Dr. Antommarchi was a Corsican, a compatriot of Napoleon. Born at Marsiglia in 1789, he studied medicine in Italy and took a special course in anatomy under Mascagni and became the successor of the famous anatomist. He was engaged in the publication of the posthumous works of the great master when he was interrupted in his labors to attend the Emperor.

In his Memoirs, Antommarchi gives interesting details of the daily life surrounding the little court at Longwood and makes careful note of every symptom of the disease which was gradually bringing the Emperor to his grave. It was Antommarchi who closed his eyes, when out on that cheerless May morning, surrounded by the faithful few who had shared his long captivity, Napoleon breathed his last.

*Paper read before the Louisiana Historical Society October, 1922, by Mrs. Olivia Blanchard. The Death Mask here described is in the custody of the Society.

Antommarchi tells us how after several unsuccessful attempts with papier-maché, he finally secured some gypsum from a remote part of the Island, and in the presence of Generals Bertrand, Montholon and Marchand, Sir Thomas Reede, Drs. Scottt, Arnott, Mitchell, Livingstone and others, succeeded in making a perfect cast of the Emperor's features.

Dr. Antommarchi claims that on his arrival in England where he and the other surviving exiles were conveyed before being released by the English Government, an attempt was made by Dr. Burton, a young English physician who was also at St. Helena when Napoleon died, to get possession of his cast, but that he was fortunate in retaining possession of his precious relic. He says that he was then offered £6,000, which he refused and passed over to France where he offered to sell it to the French Government. The French nation, however, had not yet reached the psychological period of Napoleonic appreciation and it was only in 1833, twelve years later, that he sold the right of reproduction to a syndicate and the cast was moulded into bronze by L. Richard et Quesnel, under his supervision. He obtained permission from the French Government, under Louis Philippe, for the mint to strike off a medal with the effigy of Napoleon and the inscription: "Napoleon, Emperor et Roi, 1833." In moulding the bronze this medal was set in at the base of the neck.

It is generally believed that five bronze masks were made by Richard et Quesnel, bearing their signature and the impress of the medal as well as the signature of F. Antommarchi. Of these five bronze masks at least three were brought to America.

A bronze Death Mask of Napoleon, bearing the above inscriptions, was for a long time in the possession of Major Gally of New Orleans. Just how it came into his possession is not certain, but Major Gally was with Napoleon in many of his campaigns. This mask was known to have remained in Major Gally's family until recent years.

A second bronze was taken to Mexico by Dr. Antommarchi, where he went after his visit to New Orleans. This mask is said to be in the National Museum at Mexico City.

The third mask, and most interesting to us, is the one presented to the City of New Orleans by Dr. Antommarchi himself.

The history of Our Mask and its presentation to the City is picturesque and very much in keeping with our well known love of pomp and enthusiastic ceremonies.

When, in 1834, Dr. Antommarchi came to New Orleans, he was enthusiastically welcomed by the French Colony of Napoleonists who still lived in the memory of the victories of the great Leader, and the traditions of the great Empire. Among them were many of those who, headed by Nicholas Girod, had planned the rescue of Napoleon from his Island prison. The house which Girod had built for Napoleon, corner St. Louis and Chartres, was ready to receive him¹ and the clipper with her fearless crew of desperate men anxiously awaited orders to set sail on their adventurous expedition when the news of the death of Napoleon reached New Orleans.²

L'Abeille (The New Orleans Bee), of November 10, 1834, prints an item dated from Havre, France, September 24, stating that Dr. Antommarchi was leaving Havre for New Orleans, also two letters written by Antommarchi which give us an insight into his reasons for leaving France.³

Paris, August 25, 1834.

To the President of the Council of Ministers.

Sir:

I have already renewed my offer of services to the King to effect the translation in France of the mortal remains of Emperor Napoleon, deposited at St. Helena.

Being on the eve of leaving France I again renew these offers and in spite of my absence from France I will always be ready to carry out any order the Government might transmit to me for this purpose. To this I take a solemn oath. In acting in this manner I fulfill a sacred duty prompted by gratitude, and the happiest day of my life will be when I can give this new proof of devotion and respect to the memory of Emperor Napoleon and of deference to the wishes of my fellow citizens.

I have the honor to be, Sir, with profound respect, your very humble and obedient servant,

D. F. Antommarchi,
Physician to Emperor Napoleon
at St. Helena.

¹There is much dispute over the location of this house and the evidence was analyzed by Mr. J. P. Coleman recently in the New Orleans States.

²The *Courrier de la Louisiane*, Sept. 10, 1821 announced the reported death of Napoleon.

³This is in French, and it has been translated by the author of this paper.

The other letter is addressed to General Bertrand.*

Paris, September 2, 1834.

Monsieur le Grand Marechal:

Being on the eve of leaving France to go to New Orleans, I wish to make known to you the reasons for my departure.

The Emperor Napoleon had in his last will assured my future and my fortune. Obstacles which he could not foresee prevented the fulfillment of his kindly intentions toward me. The steps which I had taken in order to secure their execution have been scoffed at. My rights and titles have been ignored and I now find myself compelled to resort to law. It would be too painful to me to witness these legal proceedings. I therefore, with deep regret, leave France, and I hope, Monsieur le Maréchal, that you will not disapprove of the motives that have made me take this resolution. I trust that you will continue to render justice to one who has had the privilege of being with you in exile and who had the sad honor of witnessing the long agony of the greatest man of all ages and of closing his eyes.

Receive, Monsieur le Maréchal, the assurance of my high consideration and devotion,

Dr. F. Antommarchi,
Physician to Emperor Napoleon,
at St. Helena.

L'Abeille⁵ prints the following letter written to the Mayor of New Orleans, dated November 12, 1834:

To the Mayor of New Orleans.

Mr. Mayor:

Penetrated by the generous sentiments and keenly sensible to the noble welcome with which the Louisianians honor me, I have the honor to offer to this City the Mask of the Emperor Napoleon, in bronze, moulded by me at St. Helena after his death, and also its bronze cushion.

This homage is destined to perpetuate the memory of the greatest man of all ages, among this free people, and I am happy to be the medium in uniting my cult to the grand and generous memories which this illustrious and majestic head recalls to the brave Louisianians as well as to the whole universe.

Awaiting your orders, Mr. Mayor, I have the honor to remain with high consideration,

F. Antommarchi.

*Translated by Mrs. Blanchard.

⁵Translated from New Orleans Bee Nov. 15, 1834.

The Mayor's answer is found in the "Mayor's Correspondence," Mayor's office, 1833-1847, City Hall Archives.⁶

Mayoralty of New Orleans,

November 13, 1834.

Dr. Antommarchi:

Dear Sir:

It is with a keen sentiment of gratitude and of pleasure that I received your letter of the 12th inst., announcing to me that you offered to the City of New Orleans the bronze mask of Emperor Napoleon, moulded by you at St. Helena after his death, together with the bronze cushion, in acknowledgment of the hospitable reception which you received among us.

This homage, so honorable for your heart, offered by the hand of the generous man whose courage and devotion toward the most illustrious unfortunate the ages have ever produced, we have always admired, will henceforth be the dear and precious token of the hospitality which the people of this City can extend toward the faithful and constant friend of the great Napoleon.

Virtue, genius and glory have always claimed admiration in this republican land, besides, this great image of Napoleon has peculiar claims to our gratitude. It is to him that the shores of the Mississippi owe their emancipation from Colonial dependence and their brilliant destiny: it is to him that under the starry banner they have enjoyed the benefits of liberty and of popular sovereignty.

I will have the honor to transmit to the City Council the flattering attention with which you wish to honor this City. It will share, I have no doubt, the sentiment of intimate gratitude, of which I am but the weak medium. It will unite with me in rejoicing at your sojourn among us and to wish that it may give you all the happiness you so richly deserve.

The bearer of this letter will take your orders relative to the day you will judge convenient for me to send for the precious gift of your liberality.

Receive, Sir, the sentiments of high consideration with which I have the honor to be your

Obedient servant,

D. Prieur, Mayor.

RESOLUTIONS AND ORDINANCES OF THE CITY COUNCIL⁷

Sittings of Saturday,

November 15, 1834.

Whereas, Napoleon 1st, justly named The Great, is one of those extraordinary geniuses admired by the whole world;

Whereas, Doctor Antommarchi, his faithful friend, has offered the City Council his bust, the true image of this great

⁶Translated from the original French.

⁷Translated from the original French.

man in recognition of the flattering reception which he has received from the inhabitants of this City;

Resolved, That the City Council shall assemble Saturday in the Salle des Deliberations, to receive from Dr. Antommarchi this precious gift.

Resolved, That a committee of three members, to which the Mayor and Recorder shall be associated, be appointed to make the necessary preparations therefor.

(Signed) John Culbertson,
Recorder.

City Council of New Orleans.

The Committee on Arrangements charged by the City Council to make preparations to receive the Bust in bronze of Napoleon offered to the City of New Orleans by Dr. Antommarchi, has decreed in its sitting as follows:

That the following persons be invited to meet on Thursday next at 4 o'clock P. M., at the City Hall, to attend the reception of the Bust of Napoleon—

1. The Clergy,
2. The Mayor, City Attorney, Treasurer, Comptroller and City Surveyor,
3. The Governor and Secretary of State,
4. The Attorney General and Secretary of State,
5. The members of the Senate and the House of Representatives,
6. Judges of the Supreme Court and Judges of the U. S. Courts and the several Courts of the State,
7. The Medical Society,
8. The Collector, the Naval Officer and other surveyor of the Customs,
9. The U. S. Marshal, the Sheriff and City Marshal,
10. The Brigadier General and the Legion of Louisiana,
11. The Brigadier of the First Brigade, Staff and Officers,
12. The Citizens generally.

That the Brigadier General is requested to escort the Bust of Napoleon.

The procession, with the officers of the Legion at their head, will start from the City Hall at 4 o'clock P. M., and repair to the residence of Dr. Antommarchi to receive from him the Bust of Napoleon which will be taken to the City Council by eight soldiers of the Legion.

Sittings of November 19, 1834.^s

Resolved, That the ceremony of the reception of the bronze Mask of Napoleon, offered by Doctor Antommarchi, is postponed to next Sunday.

^sTranslated from the original French, New Orleans Bee, Nov. 18, 1834.

Resolved, That the Secretary is instructed to make the necessary preparations in the Council chamber for the ceremony.

Resolved, That the Committee already named remains in charge of the preparations.

(Signed) Jn. Culbertson,
Recorder.

On November 25th L'Abeille published an account of the extra session which was held on Sunday, the 23rd:

Members present were:

The Recorder, Messrs. Bermudez, Labatut, Montegut, Pedesclaux, Mercier, Dixon, McCreedy, Caldwell, McFarlane and Hyde.

The different persons invited to the ceremony having taken their seats, the Recorder addressed Dr. Antommarchi in the following manner:

"Dr. Antommarchi, Sir: As the organ of the City Council I have been charged by the Committee with the honor of tendering you thanks in the name of the inhabitants of this City for the present which you have made to the City of New Orleans, through the representatives, of the likeness of Napoleon, taken after his death, so that a large portion of our citizens who are descendants of the illustrious nation of which the original of this likeness was the chosen leader, the features of one so intimately connected with the glory and greatness of France, must always be interesting. While marked as those features are with the expression of repose, of the repose which belongs to the grave, they must evidence to every beholder a striking exemplification of the great moral and religious lesson of the instability of things human. Other portraits of this great man, whose towering genius and mighty mind stand acknowledged by the world, represent him in all the peculiar energy of his great career, the arbiter of the destinies of millions; that represents him prostrated by the universal destroyer, subject to the inevitable doom of mortality.

"The master mind which presided over the framing of a system of legislation, destined to be coextensive and coeval with civilization itself, has left its habitation, and the great Napoleon, the impersonation of an era of science, no less than of conquest, has become as the clod of the valley.

"As republicans, Sir, the inhabitants of this City, and no doubt of the whole American Nation, duly appreciate the genius and extraordinary mind with which Napoleon was gifted. As Louisianians, governed in a degree by a code of which he furnished the model, Napoleon, the legislator, is richly entitled to our admiration and gratitude. We otherwise owe him something on account of the acquisition which the United States made of Louisiana.

"Permit me, Doctor, to reiterate our thanks for the present, and in the name of my fellow-citizens, to welcome you to New Orleans."

To which Dr. Antommarchi made the following reply:

"I offer my sincere thanks to the honorable Orator, and I am grateful, gentlemen, for the noble and generous reception with which the citizens of New Orleans honored me.

"I am happy, gentlemen, to have it in my power to offer to this City, as a mark of my unfeigned gratitude, the Bust of the illustrious and majestic Napoleon, which I moulded myself at St. Helena, after his decease.

"This great image, gentlemen, is destined to perpetuate amongst you, as well as amongst all the nations of the universe, great remembrances, and the sacred fire which inspires us with the love of honor, of glory, and of our country.

"This day, gentlemen, is one of the proudest of my life, whose fame will descend to the latest posterity."

The Artillery fired a salute of 101 guns.

From L'Abeille, November 29, 1834. (This and the letter following are translations from the original French.)

Having in his possession a few copies of the Memoirs which he has published on the last moments of Napoleon, Dr. Antommarchi offers them for sale at Alfred Moret's library, on Royal Street.

The impression which this work produced when it was first offered to the public is well remembered. These two volumes which were written with much talent, are of the highest interest, the details of which arouse one's curiosity. A beautiful engraving representing Napoleon after his death, will also be found at the same library.

We publish in today's issue a letter addressed to us by Dr. Antommarchi which makes known to the public what his intentions are in sojourning some time in the City. We congratulate him on the determination which he has taken and our fellow citizens will appreciate this proof of friendliness which he gives them.

November 28, 1834.

To the Editor of L'Abeille de la Nelle Orleans.
Mr. Editor:

In yielding to honorable and generous solicitations, I am only conforming to the philosophic principles which have always guided my actions.

I shall be happy if I can help suffering humanity and some of Louisiana's sick and infirm.

With this end in view, I have the honor to announce to the public that I have opened medical consultations as follows:

At Mr. Girod's, corner St. Louis and Chartres, on Monday and Thursday of each week, from 11 to 12 for the poor (free).

At Mr. Trudeau's, No. 13 Royal Street, for citizens every day from 12 to 1 o'clock.

Further, if private individuals wish to have my medical advice, I would be pleased to call at their residence.

I beg, Mr. Editor, that you have the kindness to make this announcement in one of your early issues, and accept my assurance of my high consideration.

Dr. F. Antommarchi.

It would be useless here to renew the polemics started with Dr. Burton's claim to the original plaster. Yet, strange to say, Frederic Masson, a member of the French Academy, takes issue with Dr. Burton, in his recent work "*Autour de Sainte Helene*" (about 1899), and believes that Dr. Burton and not Antommarchi, took the cast of the dead Emperor's features. While Lord Roseberry, an Englishman, says in his book, "*The Last Phase*" (about same time), "There is one service rendered by Antommarchi which alone effaces all of the inaccuracies of his book. He took a cast of Napoleon's features after his death. He gives us the exquisite beauty of the Emperor's face after sickness had accomplished its work, substituting patience to passion, and after the supreme touch of death had restored the delicacy and regularity of the features of his youth. All those who saw him after his death were struck by this transformation. 'How beautiful he is! exclaimed the English'."

There is certainly much in favor of the belief that Antommarchi did make the mask. As a pupil of Mascagni he was eminently fitted for the task of reproducing the features of the Emperor, and it seems that he of all those present would think of the priceless value of the cast of the head of the man who for a brief period ruled the rulers of Europe. The head which he, Antommarchi, said, nature produced only once in a cycle.

It matters little, after all, whether Dr. Antommarchi or Dr. Burton made the original plaster, but as it seems never to have left the possession of Antommarchi, it will doubtless always be known as "Antommarchi's Death Mask of Napoleon."

From an historical point of view the Death Mask is indeed the last phase in the career of the man, l'Homme, the summing

up of the history of his life. For science, it possesses infinite value. Anatomists and phrenologists have the exact proportions of the brow of the man who by his own might assumed the right to wear the crown of the king of kings.

It has been said that when Napoleon did not want his motives to be known his face wore the immovable expression of a mask. Undoubtedly, much of the time he was playing a part. He was always "en garde." But, death reveals him as he was and as he was Antommarchi preserved him to posterity.

There is nothing gruesome about Napoleon's Death Mask. On the contrary, it is a work of art which might appropriately ornament a private library as well as public institutions.

Emaciated by long physical as well as mental suffering, the features of Napoleon are more like him as First Consul than those of the fleshy, successful and imperious Emperor. As they lie indelibly fixed in death they bear the final record of greatness and peace.

The original plaster which was moulded on the features of the dead Emperor and from which the bronze were made is now in the Musee de l'Armee at the Invalides, the Tomb of Napoleon, where his remains were finally deposited in fulfillment of his wish:

"Je desire que mes cendres reposent au bords de la Seine, parmi ce peuple Francais que j'ai tant aime."

Our Mask remained at the Cabildo from 1834 until it was transferred to the new City Hall at the time of the consolidation of the municipalities, about 1852.

During the Civil War and the subsequent period of reconstruction, the Mask was forgotten. After many years someone remembered, but the Mask could not be located. No one seemed to know what had become of it, nor just when it had disappeared. Its loss was a source of deep regret to those who took an interest in the history and historical relics of Louisiana. Intermittent efforts were made to trace it and the newspapers took up the subject at various times without success.

It was only in 1909 that a serious effort was made to follow up certain clues which led to the restitution of the precious relic.

I admit that I knew nothing about the Death Mask until my attention was brought to the plaster Mask in Mr. Welham

Brickell's possession. When I was told of the bronze Mask which had been given to the City of New Orleans by Antommarchi, and which had disappeared, I determined to try to find it. I dug into the old dusty back numbers of the "Bee" and read all the interesting spectacular presentation by Antommarchi and the grand ceremony in this very Salle des Deliberations, at a special session of the City Council on Sunday, November 23, 1834, 75 years previous.

I had read "Autour de Ste. Helene," by Frederic Masson and also "The Last Phase," by Lord Roseberry, and Antommarchi's Memoirs, so that I knew of the taking of the cast of Napoleon's features as well as the controversy between Antommarchi and Dr. Burton about the authorship of the mask, though I did not remember ever having heard of Dr. Antommarchi's visit to New Orleans or his gift to the City.

I must at the start tell you about these three books. They were lent to me by W. P. Kellogg, the ex-carpet-bag Governor of Louisiana. I met Governor Kellogg in Washington and found him a very interesting character and great admirer of Napoleon.

One of the first persons I interviewed on the subject of the mask, was Professor Fortier. I went to his home and asked him if he knew anything about the lost mask. He told me that he knew nothing of its whereabouts. I told him that I had read his history of New Orleans and had not seen any mention of the mask and asked him if he had made any note of it in any of his other writings. He informed me that he did not deem the subject of sufficient historical importance to incorporate it in his history. I then called on several other persons and by piecing together my information, I traced the Mask to Captain Raoul, of Atlanta, Ga. Capt. Raoul had married the widow of Robert Cade Griffin who was a son of Adam Griffin, City Treasurer during Mayor Waterman's administration (1858). I learned that for many years a bronze Death Mask of Napoleon had been seen in the Griffin home, and that later the same mask was in the possession of Capt. Raoul.

When I had gathered sufficient information, I went to the Picayune with my story. No one was sufficiently interested to consider publishing anything about it. I then went to the States. Mr. Thos. O. Harris, was then Editor. He was very much interested and kept my manuscript three weeks, but fi-

nally regretfully returned it saying that the Managing Editor was not inclined to take it up. I finally went to the Item. Mr. Marshall Ballard enthusiastically entered into the spirit of the chase and carried it through. Our object was to force, through publicity, the restitution of the city property. The plan was successful.

When Capt. Raoul read in the Item that the whereabouts of the missing mask was known he wrote to the Mayor of New Orleans saying that he had it in his possession and offered to sell it to the City of New Orleans at exactly the same price he had paid for it, that is, \$500, plus the interest since 1896, amounting to, in all, \$899 or, Capt. Raoul generously offered to redonate it to the City of New Orleans, provided suitable acknowledgement were made to him for the gift. Upon which, the Mayor promptly replied accepting Captain Raoul's compromise.⁹

Captain Raoul says in his letters to the Mayor, that he is prompted to this generous impulse because he is a native of New Orleans and feels a personal pride in having the City own this relic. He might have said own its own relic.¹⁰ The fact in a nut shell is that City property was taken and held by a city official. It was bought and retained by another party. It is evident that all parties interested knew that it was city property, and that it was valuable property, both from an historical and intrinsic point of view.

The cushion on which the mask reposes is plainly inscribed in French:

"A la Ville de la Nouvelle Orleans par F. Antommarchi, 1834."

Both the Mayor (Martin Behrman), and the Item, acknowledged my work in the discovery and thanked me for my connection with the restoration of our precious relic, specially precious and valuable because it was the direct gift of the man who had the forethought and skill to preserve to the world the actual likeness of Napoleon.

The City Council gave me the privilege of reproducing the mask in plaster for commercial purposes and the Board of Trustees of the Louisiana State Museum courteously permitted Pietro Ghiloni to take the impression.

⁹Raoul's letter Item, Feb. 8, 1909.

¹⁰Item Feb. 16.

Mayoralty of New Orleans,
City Hall, Oct. 6, 1909.

Cal. No. 8246,

No. 6132 New Council Series.

An Ordinance granting permission to Mrs. Olivia Blanchard to reproduce the famous Death Mask of Napoleon.

Whereas, Mrs. Olivia Blanchard was instrumental in tracing and causing the restitution of the famous bronze Death Mask of Napoleon, which was donated to the City of New Orleans by Dr. F. Antommarchi, and disappeared from the City Hall, and,

Whereas, The people of New Orleans are justly proud of so valuable a relic, therefore,

Section 1. Be it Ordained by the Council of the City of New Orleans, that the privilege be granted to Mrs. Blanchard to reproduce said Mask.

Adopted by the Council of the City of New Orleans, October 5, 1909.

George Ferrier, Jr.,
Clerk of Council.

Approved October 6, 1909, Jno. J. Frawley, Acting Mayor.
A true copy: W. P. Ball, Secretary to the Mayor.



GAILLARD HUNT

SEPTEMBER 8TH, 1862-MARCH 20TH, 1924.

By James A. Renshaw.

Third Vice President Louisiana Historical Society.

On May 23, 1922, I was accorded the pleasing privilege of reading before the Society a paper containing a sketch of the four Hunt brothers, who, born in South Carolina, came as young men to this city and by their courteous and dignified bearing and their great ability soon won and maintained throughout many years a conspicuous place among the brilliant men, who adorned the legal and medical professions of their time; and of Carleton Hunt, who had died but a short time previously, the son of Dr. Thomas Hunt, one of the brothers, who all through the years of a long life added an additional lustre, as citizen and as lawyer, to the family name already cherished and esteemed by Louisianians.

It is now my purpose to present a short sketch of Gaillard Hunt, son of William H. Hunt, another of the four brothers above mentioned, who was gathered to his fathers but a short time since.

Gaillard Hunt was the youngest of seven children born to William H. Hunt and Elizabeth Ridgely Hunt, who were domiciled at that time, September 8, 1862, at the family home, No. 15 South Rampart Street, in this city. In less than two years later, July 29, 1864, his mother passed away at their summer home, Ridgely on the Hudson, New York. The young boy, deprived thus early of a mother's love and care, was fortunate in having the affection of two devoted aunts, his father's sisters, who, gifted with the Hunt mental virility, with the Hunt dignity, and with the Hunt clannishness, were drawn if possible more closely to the motherless boy and his older brothers and sister.

Their home on South Rampart Street was one of a row of three brick houses, having a frontage each of approximately twenty-five feet, and an elevation of three stories, with an iron-railed balcony at the second floor. The rear yard opened on an alleyway, and directly opposite (though he moved to St. Charles near Jackson Street after 1870), was the rear of the residence of Randell Hunt, fronting on Dryades Street and

known as No. 16. This afforded easy passage for the members of the two families from one house to the other, and with the close ties that bound them it is not difficult to picture the many visits so paid. At that period in the history of New Orleans this block, bounded by Dryades, South Rampart, Canal and Common Streets, was a residential section housing many of the city's highest social element. It has now become thoroughly commercialized, many of the old buildings having been demolished and replaced by others of a different type. The three brick structures, in one of which William H. Hunt lived, are however still standing, shorn of their balconies and of all outward appearance of elegance, and disfigured with signs of this or that retail business.

It may be of interest to call attention at this moment to the apparent reversal of official acts by the city fathers of that period in numbering the houses along the various thoroughfares from Canal Street up; for while the streets from say here, out to the river were so numbered that the odd figures were on the lake side and the even numbers were on the river side, these two streets, Dryades and South Rampart, and perhaps some others, bore the odd numbers on the river side and the even numbers on the lake side.

In this atmosphere of refined social surroundings and of highest intellectual home life the family passed the years to 1878, when William H. Hunt, having been appointed Judge of the Court of Claims, transferred his residence to Washington, District of Columbia. Later on Mr. Hunt was named Secretary of the Navy and in April, 1882, was tendered and accepted the post of Minister to Russia.

The name Gaillard was given to the child. It was the name of Judge Theodore Gaillard Hunt, one of his distinguished uncles; and it was also the family name of his grandmother on the paternal side, Louisa Gaillard, whose brother, John Gaillard, represented South Carolina in the United States Senate during a brilliant and continuous service from 1804 to 1826, he having been nine times elected President pro tem during that period.

The lad was sent at an early age to Hopkins Grammar School at New Haven, Connecticut, in which city his father had also received his earlier education; later he attended the Emerson Institute at Washington, D. C.; he obtained his degree

of Litt. D. from the Washington and Lee University, while the University of South Carolina conferred upon him the degree of LL. D., and a like degree was given him by William and Mary College.

He married, in 1901, Miss Mary Goodfellow, daughter of Major and Mrs. Henry Goodfellow; and of this union were born two daughters, Eleanor and Mary, and two sons, Gaillard and Henry.

His life work was of a literary nature. Among the books which he published were his "History of the Seal of the United States," "The Department of State—Its History and Functions," "Life of James Madison," "Life of Jno. C. Calhoun," and "Life in America 100 Years Ago." He was a careful writer, and his works showed sound research and were couched in graceful language.

Upon his father's death, Gaillard Hunt was given a position as examiner of claims in the Pension Office. From here, he was transferred during the first administration of President Cleveland to Bureau of Statistics, Department of State, where, surrounded with historical collections, both numerous and rare and rich in quality, he soon found his career and devoted his future to matters of history and biography.

He represented the State Department of the United States at the Chicago Exposition in 1893, and acquitted himself with marked ability in that connection. He was appointed Chief of the Bureau of Citizenship, Department of State, and held that position from 1900 to 1909. He was then named Chief of the Division of Manuscripts of the Library of Congress, holding office from 1909 to 1917. From 1918 to 1920 he was Editor for the Department of State, and was specially appointed by the Department to assist in the preparation of a History of the World War.

In 1910 he was sent as United States delegate to the International Congress of Archivists and Librarians held at Brussels. He was assistant of the State Department at the World Conference on Armaments at Washington in 1922. He was a lecturer at the George Washington University, the Johns Hopkins University, and other institutes.

He was a member of Columbia Historical Society, of the Virginia Historical Society, as also of the American Historical Association.

Though he lived in Washington, he had a country home nearby and considered himself a citizen of Virginia.

His work while in the Library of Congress was of the highest order. In this connection, it has been well said that "to him is due the transfer to the Library of the diplomatic correspondence of the Revolution, the originals of the Declaration of Independence and of the Constitution of the United States."

At the banquet in 1915 of the Louisiana Historical Society held in New Orleans, Mr. Hunt was an honored guest, and charmed those present with an admirable address on "Historians of America."

For some months prior to his death Mr. Hunt had been in failing health, and his condition occasioned much alarm to his family and friends. But he rallied to a certain extent and during the last week or two of his life he felt strong enough to walk short distances, even going at times to his office in the State, War and Navy Building.

According to the Washington Post it appears that on Thursday evening, March 20th, his close friend, Representative R. Walton Moore, of Virginia, called about 8 o'clock at the Everett House, where Mr. Hunt had apartments. The two chatted most pleasantly for a while, Mr. Hunt being particularly cheerful and declaring his physical condition was so much improved that he anticipated a speedy and complete recovery. He was engaged in just such conversation as this, when he suddenly fell back in his chair in a faint. Medical aid was at once summoned, but on the arrival of Dr. James Hawfield, the practiced eye of the physician saw that death had already claimed its prize. He died at 8:50 P. M.

So sudden was it all, that his daughters, who were in a nearby room, were not aware of what was transpiring. Mrs. Hunt, who had been away at their country home, reached her husband's side about an hour after life had ceased and his spirit had taken flight.

In 1901 he embraced the Roman Catholic faith and lived the balance of his life true to its doctrines. In such esteem was he held by his co-religionists that at the time of his death he was about to be installed as President of the American Catholic Historical Association. His funeral services were held March 22nd, 1924, Rev. Peter Guilday officiating.

His associates speak kindly of him as a "gentleman of the highest integrity, sturdy in character; frank and original in speech, whose genial kindness, warm affections and lively good humor were a perpetual pleasure to a wide circle of friends."

The following copy of a letter which Secretary Hughes wrote in his own hand, bears witness to the general esteem in which he was held:

The Secretary of State,
Washington, March 22, 1924.

My dear Mrs. Hunt:

I am sending you a copy of the statement we are giving to the press as an expression of our deep appreciation of Mr. Hunt's distinguished services. I desire to add this personal word of most sincere sympathy in your great sorrow. May you find consolation in the thought of the splendid record of fidelity and achievement which your husband has left and of the esteem and affection in which he was held by all who knew him. May God give you strength to bear this severe trial.

Mrs. Hughes joins me in kindest messages.

Very sincerely yours,
Charles E. Hughes.

Mrs. Gaillard Hunt,
The Everett Hotel.

As a mother reaches out through all distance and through every clime to the call of the offspring she has borne, so does Louisiana with outstretched arms take heed of the blow that befalls any one of her sons; for even though, as in this case, that son may have been long absent from her soil, she never fails to still regard him as one of her own.

Gaillard Hunt is dead. With us remain only pleasant memories of the boy and of the man. Louisiana gave him birth; Louisiana is proud of the many achievements that adorned his life; Louisiana mourns his passing.



MINUTES OF MEETINGS LOUISIANA HISTORICAL SOCIETY, 1924

By J. Mitchell Pilcher, Recording Secretary.

JANUARY.

The Louisiana Historical Society held its annual meeting for 1924 on the evening of Tuesday, January 22nd, in the Cabildo.

The attendance was large.

In the absence of Miss Grace King, and at her request, Mr. J. Mitchell Pilcher acted as Recording Secretary.

The President, Mr. Gaspar Cusachs, presided and ordered the reading of the Minutes of the previous meeting.

A motion was made to dispense with the reading of the Minutes. Mr. Hart arose and requested the regular order of procedure. The Minutes were read and at the instance of Mr. Hart, the President ordered the Minutes corrected so as to read:

"The amendment regarding the increase in dues was not to take effect until January 1, 1925," after which the Minutes were approved.

Mr. James A. Renshaw moved that, as some of the members wished to attend the performance of Eleonora Duse, that the election of officers be proceeded with forthwith. Carried.

Mr. William Pfaff, duly seconded by Mr. James Wilkinson, placed in nomination the following members of the Society as officers thereof:

For President, Mr. Gaspar Cusachs; First Vice-President, Mr. Edward A. Parsons; Second Vice-President, Mr. Andre Lafargue; Third Vice-President, Mr. James A. Renshaw; Recording Secretary, Miss Grace King; Corresponding Secretary, Mr. Henry Miller Gill; Archivist, Mr. Henry P. Dart; Treasurer, Mr. W. O. Hart.

There being no further nominations, the said officers were unanimously elected and the Secretary was ordered to cast the vote for the members of the Society.

All of which was unanimously carried.

The following were elected members of the Society: Prescott H. F. Follett, W. B. Hamlin, Mrs. H. W. Jones, Prof. A.

de Chateauneuf, Miss Marie Kernion, F. A. Muth, B. H. Richardson, E. H. Schwartzburg, Dr. G. H. Tichenor, Jr., Mrs. G. H. Tichenor, Jr., Miss Carrie Walter.

Mr. Andre Lafargue read a memorial on Col. H. J. de la Vergne. Mr. Parsons moved that the memorial be received and referred to the Executive Committee, and made part of the records of the Society. The motion was seconded and unanimously carried.

Mr. W. O. Hart read a memorial on Mr. John F. C. Waldo, which, on motion, was received and referred to the Executive Committee and made part of the records of the Society.

Mr. Hart then read his annual report as treasurer. On motion by Mr. Parsons, seconded by Mr. Lafargue, and unanimously carried, the report was received and approved.

Mr. Parsons read the paper of the evening, "Dante," being an account of his mission to Italy as the delegate of the Society to the Dante Sexcentenary at Ravenna, Florence and Rome, Italy. The paper recounted the principal features of the three celebrations, after which Mr. Parsons entered into a most entertaining and instructive lecture on the immortal bard of Florence. The lecture was illustrated with numerous pictures taken in Italy. Mr. Parsons was the recipient of a vote of thanks by the Society.

There being no further business, the Society adjourned.

FEBRUARY.

The Society held its regular monthly meeting February 26th, at the Cabildo.

Owing to the very cold weather, the attendance was extremely small.

The President was prevented by illness from attending; Mr. Parsons presided in his place. The Minutes were read and approved.

Owing to the absence of the Chairman of the Membership Committee, no names of applicants were presented.

The Secretary read a letter from the Hon. James O'Connor, presenting a set of the "Records of the Rebellion" to the Society's library; also a letter from the Coöperative Woman's Club, calling attention to the misstatements made daily by the lecturer on the steamboat "Capitol," in describing the points

of interest in the City, and asking the aid of the Historical Society to correct them. The letter was referred to the Executive Committee.

The first feature of the program, an address by Mr. W. O. Hart, "The Story of the New Orleans Times and the New Orleans Democrat," was omitted, owing to the absence of Mr. Hart, prevented by illness from attending the meeting.

Mr. John Wallace gave an informal account of a tramp through Canada and the United States, and describing incidentally the monument to La Salle: a huge boulder bearing an inscription to the great pioneer, at Hamilton, Canada.

Mrs. Billingsley gave a short personal talk on "The Louisiana Society in New York."

Mr. Parsons prefaced his reading of a letter from Judge Crabites of the International Court of Cairo, Egypt, by a talk on Egypt and Egyptology.

Judge Crabites' letter proved to be a critical and scholarly study of the Tomb of Tutankaman.

The Society gave him a vote of thanks.

Mr. Andre Lafargue not being present, to give his paper, the Society adjourned.

MARCH.

The Society held its regular monthly meeting March 25th, at the Cabildo. The attendance was large.

The meeting was called to order by President Cusachs and, in the absence of Miss Grace King, J. Mitchell Pilcher was requested to act as Recording Secretary.

On motion, duly seconded and carried, the reading of the Minutes was postponed until the April meeting.

Mr. James A. Renshaw, acting for the Chairman of the Membership Committee, submitted the following names for election to membership in the Society:

C. C. Bancroft, G. H. Bernhard, Clarence F. Cormier, Thomas Ewing Dabney, C. E. Dunbar, Jr., C. C. Friedrichs, Rev. L. T. Hastings, James H. Hyde, Bolivar E. Kemp, Austin Leftwich, Mrs. H. C. Parker, Mrs. W. A. Porteous, W. C. Ryckman, F. F. Teissier

The application of Hon. James H. Hyde was supplemented by his letter to President Cusachs, written from Paris, and expressing his desire to become a member of the Society.

The President announced that Miss Grace King, Recording Secretary of the Society, had resigned; that action thereon had been taken by the Executive Committee, and that instructions had been given the Corresponding Secretary to advise Miss King that her resignation had been accepted and that the Society was grateful to her for the valuable work that she had accomplished in her capacity as Recording Secretary of the Society.

The President then announced that it would be necessary to nominate and elect a Recording Secretary for the unexpired term.

Thereupon J. Mitchell Pilcher was nominated and unanimously elected Recording Secretary of the Society.

The following gifts, presented by Mr. Brooks, were added to the Society's collection: Map of Chalmette Slip; Copy of Jewell's "Crescent City," and some antique picture frames made of pine knots. Mr. Brooks was voted the thanks of the Society.

Mr. Andre Lafargue read his translation of the "Old Belize Commission," being a commission as storekeeper at the Belize, in the Province of Louisiana, for Mr. Barbin. A photographic copy of the original document was sent to Mr. W. O. Hart and translated by Mr. Lafargue. Dated four years after the arrival of Iberville's first expedition and fifteen years prior to the founding of New Orleans, the document shows how the early colonists at once saw the necessity of establishing a post at the mouth of the Mississippi River.

Mr. Lafargue also read his translation of a communication dated March 20, 1843, addressed to Monsieur Delpit, Secretary of the Dordogne Section (French Benevolent Society). The document announces a public meeting to be held in the Ball Room of the Bourse St. Louis, for the purpose of adopting relief measures for their stricken compatriots of Pointe a Pitre, and to be addressed by Messrs. Soule and Marigny.

On motion by Mr. Parsons Mr. Lafargue was given a vote of thanks by the Society and the documents were referred to the Executive Committee.

The paper by Mr. Oliver Roscoe McGuire, "History of the Government of New Orleans," was read by Mr. James A. Renshaw. It treats of the City Council and development of the functions of the Mayor and the other City Officials from

1803 to the close of the century. On motion by Mr. W. O. Hart, a vote of thanks was tendered Mr. McGuire and Mr. Renshaw, and the paper ordered referred to the Executive Committee.

Mr. Hart then announced the presence of Mr. Walter Eliot Thwing, of Boston, who was called upon to give a sketch of the book he is writing on the history of ships and shipping. The greater part of the book is based upon his father's maritime correspondence and will include new and original material regarding shipping matters in New Orleans and the Mississippi Valley.

The paper by Mr. W. O. Hart, "The Story of the New Orleans Times and the New Orleans Democrat," was read by Mr. Andre Lafargue. The article enters into a detailed history of the "Times" and the "Democrat," both before and after consolidation, and refers to the activities and literary talents of their various editors.

Mr. Hart and Mr. Lafargue received the thanks of the Society and the paper was referred to the Executive Committee.

On motion the Society adjourned.

APRIL.

The Society held its regular monthly meeting April 22nd, at the Cabildo.

The meeting was called to order by President Cusachs, and the Minutes of the previous meeting read.

On motion by Mr. W. O. Hart the Minutes were amended so as to state that the photographic copy of the "Old Belize Commission," read by Mr. Lafargue, was a gift of Mr. Curtis of California.

On motion by Mr. Parsons the Minutes were approved as amended.

Mr. James A. Renshaw, acting as Chairman of the Membership Committee, submitted the following names for election to membership in the Society: L. G. Beugnot, J. V. Chenet, A. V. Coco, Mrs. John Ferran, Dr. W. C. Harrison, Rev. Peter Nies, L. F. Laurent.

A letter to Mr. Dart from Mr. James H. Hyde of Paris, France, expressing his desire to become a member of the Society, was read by the Secretary. Mr. Hyde was elected to membership at the March meeting.

A letter to the Recording Secretary from Major Otto Holstein, Trujillo, Peru, requesting membership in the Society, was read, and the Secretary instructed to send Major Holstein an application.

The President then called for reports from the various committees, and Mr. Parsons read the memorial in honor of H. Garland Dupre prepared by the Memorial Committee, consisting of J. Zach Spearing, Chairman; Robert Ewing, Jas. M. Thompson, Martin Behrman, E. A. Parsons and Gaspar Cusachs. On motion by Mr. Parsons the Memorial was ordered spread upon the minutes, referred to the Executive Committee, and a copy sent to Mr. Dupre's mother. Mr. L. F. Laurent then read his paper, "History of the Parish of St. John the Baptist." The paper is the result of much patient research work in a new field which abounds with much valuable historical material and the reading was followed by interesting discussion and remarks. The paper not only gave a history of the Parish of St. John the Baptist, but in a most charming way described the life, manners, customs and folk lore of this ancient Louisiana parish. In the course of his paper Mr. Laurent touched upon the definition of the word "Creole," and Mr. Hart read an interesting item on the Creole. Mr. Dart suggested that the writing of the histories of the different parishes was a delightful method of preserving and compiling the history of the State.* Mr. Hart suggested that this might be accomplished by communicating with the various parish superintendents of education, and referred to the history of Avoyelles, written by J. Mitchell Pilcher and read before the Society in 1917, recorded in the Society's Annual of that year.

Mr. Dart suggested that Mr. Laurent's paper be used as a model, whereupon Mr. Laurent informed the Society the paper read was but a brief sketch of the complete history of the Parish of St. John the Baptist which he has written, and he intends to publish the history in book form.

Mr. Dart then informed the Society that he had ready for publication the original papers in connection with the West Florida revolution, the history of which event is the basis of Mr. Parson's paper, "Louisiana Completa," and these papers were worthy of mention because of their bearing on this phase of Louisiana History.

*Mr. Laurent's paper is printed in *Louisiana Historical Quarterly* Vol. 7, p. 316.

Mr. Hart spoke on the value of these papers, following which Mr. Dart touched upon the military history and capture of West Baton Rouge and said that Mr. Parsons, when writing his paper on the West Florida Parishes, would have been delighted to have had the documents of Carlos de Lassus, since discovered, and considered these the most valuable papers found thus far by Mr. Hart.

On motion by Mr. Dart, Mr. Laurent was voted the thanks of the Society for the fund of knowledge thus imparted.

Mr. James A. Renshaw then read his paper on "Gaillard Hunt," a well written account of the life of a famous Louisianian and son of New Orleans. Gaillard Hunt was the author of several books and the editor of various historical publications. For many years Mr. Hunt was the chief of the Division of Manuscripts, Library of Congress. In 1917 he was appointed special assistant to prepare a history of the World War from the standpoint of the Department of State.

On motion by Mr. Parsons Mr. Renshaw was voted the thanks of the Society and his paper referred to the Executive Committee.

During the reading of Mr. Renshaw's paper President Cusachs was called away and Mr. Lafargue presided during the remainder of the meeting.

Mr. Edward A. Parsons then read his "L'Affaire Tout-Ankh-Amon." Mr. Parsons sketched the history of the great religious reformer, Akhnaton, and the careers of his successors. He then gave a delightful description of the celebrated trial being held in Cairo, Egypt, to decide the fate of the explorations made at the tomb of Tout-Ankh-Amon in the Valley of the Tombs of the Kings at Thebes in upper Egypt by the late Lord Carnorvan and Mr. Carter.

This case, probably the most celebrated archaeological lawsuit ever held, is being tried before a very distinguished son of Louisiana, Judge Pierre Crabites, Judge of the "Tribunals Mixte" in Egypt. The Judge is a native of New Orleans and a former member of the Society. This case was tried in French and the account thereof contained in the French papers, published in Cairo. From these sources and documents, sent by Judge Crabites, Mr. Parsons translated many humorous incidents of the trial and gave a most interesting and valuable account thereof.

Mr. Parsons received the thanks of the Society for his account of "L'Affaire Tout-Ankh-Amon."

Mr. Lafargue, in advocating the erection of a statue in honor of the Marquis de Lafayette, submitted a resolution which was read by the Recording Secretary.

On motion by Mr. Parsons, Mr. Lafargue, as chairman, was empowered to select a committee to be known as the Lafayette Committee, and consisting of the following: W. O. Hart, James A. Renshaw, L. F. Laurent.

There being no further business the Society adjourned.

MAY.

The Society held its regular monthly meeting on May 27th, at the Cabildo.

The meeting was called to order by President Cusachs, and the minutes of the previous meeting read. On motion by Mr. Parsons, seconded by Mr. Lafargue, the minutes were approved as read.

The Chairman of the Membership Committee then submitted the following names for election to membership in the Society:

Mrs. G. S. Gibbons, Miss Nettie L. Hans, Mr. Peter Johnson, Madame Charles Lefevre, The Louisiana Society in New York, Mr. R. P. Mahon, Mrs. Annie Clarke Spencer, Mrs. F. A. Turner. On motion by Mr. Lafargue, seconded by Mr. Hart and approved, Mrs. Jeannette Connor, 247 Fifth Avenue, New York City, who is engaged upon very important research work, was elected as an honorary member of the Society.

Mr. Andre Lafargue then read his paper, "Jean Ribaut and The Huguenot Expedition to Florida." Mr. Lafargue was a delegate to the recent Florida celebration at Jacksonville, where a monument was erected at the mouth of the St. John River. The paper described Ribaut as a Huguenot, the important part he played in the destiny of the nation; how he fitted out the Colony at Paris Island; came to Florida fifty-eight (58) years before the Plymouth founders landed.

Mr. Lafargue then read interesting extracts from The Journal of Ribaut, of which Mrs. Jeannette Connor, elected as an honorary member of the Society, was allowed to make a copy of the English Translation in the British Museum.

The French Ambassador represented the French Government at the celebration and Mr. Lafargue, who represented the Mayor of New Orleans, then exhibited an interesting photographic copy of *The Journal of Ribaut* and presented the Society with pictures, coins and stamps struck off and printed in commemoration of the celebration and the erection of the Monument. Mr. Lafargue then presented the Editor of the Quarterly the address of the French Ambassador, following which Mr. E. A. Parsons made interesting remarks about the paper and moved that Mr. Lafargue be given the thanks of the Society, which motion was duly seconded by Mr. W. O. Hart and unanimously approved.

Mr. W. O. Hart was then called upon to read his paper, "New Orleans and the Flag," but owing to the lateness of the hour he asked that his paper be postponed for reading at a future meeting and that Mr. Henry P. Dart read the letter describing "Judge Martin's Journey from North Carolina to New Orleans."

Mr. Dart then read the letter which was written by Judge Martin while serving as one of the judges of the Superior Court of the Territory of Orleans. It was dated March 22nd, 1811, and was written to Colonel Hamilton. The letter speaks of the wealthy yield of Louisiana lands, as well as the large fees paid to New Orleans lawyers, an average fee being a thousand dollars. In commenting on the letter Mr. Dart said Judge Martin was the first Attorney-General of Louisiana, having immigrated to this country, settling in North Carolina where he became a lawyer.

Mr. Gasper Cusachs then gave further interesting information about the letter, stating that he had a letter in his collection written by Colonel Hamilton who later moved to Louisiana.

Mr. W. O. Hart then moved that Mr. Dart add Mr. Cusachs' letter to his, for publication in the Quarterly, after which Mr. Hart made interesting comment. Seconded and approved.

The "Presentation of Portraits of Mississippi Fire Company Number Two," by C. Taylor Gauche, in the absence of Mr. Gauche, was made by Mr. W. O. Hart, with an interesting talk on the various firemen portrayed, of which number only four are now living.

On motion by Mr. Hart, Mr. C. Taylor Gauche was given a vote of thanks by the Society.

Mr. Cusachs then informed the Society that he had received from Honorable John M. Parker, while Governor, the block from the famous "Cambridge Elm," now on exhibit in the meeting room of the Cabildo, after which Mrs. Henry Waddill presented the Society with a most interesting gift, an iron mask found in the Lake at Baton Rouge, given by Dr. Cooper of Baton Rouge. Mr. Henry Waddill gave some very interesting information about the mask and, on motion, Mrs. Waddill was given a vote of thanks by the Society.

On motion the Society adjourned.

JUNE.

The Society held its regular monthly meeting on June 24th, 1924, at the Cabildo.

The meeting was called to order by President Cusachs and, in the absence of the Recording Secretary, Vice-President E. A. Parsons read the minutes of the previous meeting.

On motion, the minutes were approved as read.

The Chairman of the Membership Committee submitted the following names for election to membership in the Society:

Mrs. Fred W. Bradt, R. J. Weinemann, Carnegie Library of Pittsburgh, O. R. McGuire, Hudson Grunewald, also the following members of the Louisiana Historical Society of New York, endorsed by Mrs. Chas. Le Sassier:

Mrs. Patrick Justin White, Mrs. J. J. Billingsley, Mrs. A. F. Hancock, Miss M. A. Roman, Mrs. W. H. Fowler, Mrs. Paul de G. Pickett, Mrs. A. S. Ranlett, Mrs. Geo. Maul, Mrs. C. P. Duval, Mrs. Rosa Falls Bres, Miss Abby R. Pike, Mrs. Samuel Rutherford Olliphant.

The following resolution, submitted by Mr. James A. Renshaw, was read and approved:

"The Louisiana Historical Society has learned with surprise, that in an effort to decrease the number of holidays in the state by a bill which has been introduced in the legislature, it has been suggested as perhaps the first step in that direction to eliminate the 8th of January.

"The Louisiana Historical Society therefore desires to go on record as opposed to such a proposition, and hereby respectfully petitions the legislature under no circumstances to eliminate from the holidays the 8th of January, as commemorative of the victory of the battle of New Orleans; and further, asks

the co-operation of the Governor of the State in this connection."

Through the efforts of Mr. W. O. Hart the above resolution was accepted by the Resolutions Committee of the Legislature and the 8th of January remains a holiday.

The paper on the "History of New Orleans" by Mr. M. V. Dejan, was read by Mr. W. O. Hart. In a most interesting and entertaining manner the paper treated of the history of New Orleans and the various people of note about whom centers the eventful record of the period.

On motion, Mr. Dejan and Mr. Hart were voted the thanks of the Society.

"Pere Antoine and the Spanish Inquisition," a paper by Mr. G. William Nott, was read by Mr. E. A. Parsons.

A vote of thanks was extended by the Society to Mr. Nott and Mr. Parsons.

The paper, "New Orleans and the Flag," by Mr. W. O. Hart, was, at his request, postponed for reading at a subsequent meeting.

President Cusachs then stated that according to custom there would be no meetings of the Society during the months of July, August, and September, and that the next regular meeting would be held on the fourth Tuesday of October.

There being no further business, the Society adjourned.

OCTOBER.

The Society held its regular monthly meeting on October 28th, 1924, at the Cabildo.

The meeting was called to order by President Cusachs.

The Recording Secretary read the minutes of the June meeting and on motion by Mr. W. O. Hart, were amended so as to exclude the word "Historical" appearing in the title of the Louisiana Society of New York. Approved.

The President then announced that Mrs. Charles Le Sassier of the Louisiana Society of New York and a member of the Louisiana Historical Society, was present and had a message for the assembled members. Mrs. Le Sassier, as Chairman of the Bienville Memorial Committee, came to New Orleans in order to inaugurate the drive for a fund of \$40,000.00 with which to erect a suitable monument to Bienville. A ball is to be given this winter for the Bienville Memorial Fund and each member of the Society is asked to contribute thereto.

The Chairman of the Membership Committee submitted the following names for election to membership in the Society:

Miss Lillian C. Bourgeois, Upshur P. Breazeale, Mrs. E. M. Egle, L. E. Hawkins, Miss Miriam Lee, Stanley McDermott, Miss Sylvia Frances Metcalf, Miss Caroline Mims, M. D., Miss E. O. Richardson, Charles Edward Seghers.

On motion, those proposed for election to membership were approved.

"The Freedmen's Bureau in New Orleans" was then read by Mr. J. Mitchell Pilcher. The paper is the result of much research work on the part of Mr. Pilcher, in an entirely new field, and is a careful study of the Freedmen's Bureau, the occasion of its rise, the character of its work and its final success and failure, not only as a part of local history, but above all as one of the most singular and interesting of the attempts made by the nation to grapple with racial and social conditions.

On motion by Mr. Edward A. Parsons, seconded by Mr. Andre Lafargue, a vote of thanks was extended Mr. Pilcher and the paper referred to the Executive Committee. Approved.

Mrs. Marion Hoey Stem, Chairman of the Memorial Committee, read "In Memoriam—Mrs. W. O. Hart," following which Mr. Andre Lafargue read the poem, "In Memoriam—Mrs. Evelyn Richards Hart," by Lilita Lever Younge.

On motion by Mr. Edward A. Parsons, duly seconded by Mr. Henry M. Gill and unanimously adopted, a special page of the October Minutes has been ordered set aside for the Memorial and Poem dedicated to Mrs. Evelyn Richards Hart and copies thereof sent by the Recording Secretary to Mr. W. O. Hart and family.

IN MEMORIAM—MRS. W. O. HART.

Your Committee desires to offer this tribute of respect and of affectionate regard to the memory of Evelyn Richards Hart, an honored member of the Louisiana Historical Society, who passed to her reward but a short while since.

Several months of illness, which had necessitated her absence from all meetings during that period, gave warning to the members that her life was nearing an end, and in a way prepared them for her death, which occurred July 19th, 1924. She rests out in beautiful Metairie.

In her passing, the Society has lost one of its valued members, for she rarely failed in her attendance at all functions, taking a quiet, but interested part in every proceeding, and thereby giving a support that will be sorely missed at future meetings.

March 12, 1889, Evelyn Richards was married to Mr. W. O. Hart, and thereafter entered fully into all the activities that have characterized the life of her husband. In religion they were of the Presbyterian faith, and their belief was something more than mere profession.

Her ancestry entitled her to enrollment in various associations. She was a direct descendant of Josiah Richards, who, on sentinel duty at Valley Forge, challenged General Washington himself, for which act he was not only commended but promoted. She was Past Regent of Spirit of '76 Chapter, Daughters of the American Revolution, Past President United States Daughters of 1776 and 1812, and at the time of her death Vice-President General of the National Society of Daughters of 1812. The completion of the Chalmette Monument was largely due to her incessant efforts in that direction. In all these associations, as well as in the many others of which she was a member, she gave fully of her time and of her ability.

The fragrance of a life of domestic happiness, of Christian attributes, of a gentle love for all human kind, was ever about her, as she performed in her own quiet way the many duties that were always calling to her.

She practiced charity in the same simple way that marked all her doings; on regular days she visited the sick and the poor, and made them feel the better for her coming.

The inscription on her tomb fittingly says:

"None Knew Thee But to Love Thee
Nor Named Thee But to Praise."

In every walk of life she was a gracious woman.

Mrs. Marion Hoey Stem, Chairman.
Andre Lafargue.
Jas. A. Renshaw.
Mary P. Tennent.
Mrs. Benjamin Ory.



MRS. W. O. HART

IN MEMORIAM—MRS. EVELYN RICHARDS HART.

By Lilita Lever Younge of New Orleans.

Warm glow of peonies and the haunting perfume
Of sumptuous roses, soft sighing where she lay,
Sweet exhalations through the stately, dim room;
White lilies gleaming around her beauteous clay.

I, who had loved her from the first, as friends love,
Came, in my grieving, to muse beside her bier,
Heart-bowed, yet conscious love of God transcends love
Of earthly durance, so brief and transient here.

Resonant, vibrant, the pastor's voice broke silence;
Fell from his rapt lips old truths sublime and grand;
Death and the dark grave stripped of dread and violence
By Him who hung, scourged, with sore-pierced brow and
hand.

Faint swooned the sweet scents, droned the prayers' low
measure,

Where she so oft stood, with lovely, pensive face,
Pouring the vast store of her heart's rich treasure,
Love's pure libation, round her hearth's altar-place.

Prone lay her fair form, jewel within a casket,
Hidden from fond eyes beneath the coffin pall,
Yet that beloved face death nor grave can mask it,
Shining resplendent, beyond earth's voices' call.

Dust unto dust here; back to ashes, ashes;
Darkness and silence, and then dawn's breaking light!
Vainly man weeps, pleads, while Time's swift tide dashes,
Bearing the loved ones beyond his yearning sight.

Husband, bereft, sad, viewing with mute sorrow
Life's dreary vista, spread at your lonely feet,
Groping, tear-blinded, day and night and morrow,
God lead you safely where paths divergent meet!

Mr. Andre Lafargue then suggested that the Society, in
paying tribute to the living, adopt the following resolution
extending to Mr. and Mrs. James A. Renshaw warm felicitations on the occasion of their "Golden Wedding Anniversary":

"Their Life, Like Unto an Open Book
Has Been an Inspiration to All."

Whereas, Our distinguished and highly esteemed fellow
member and Vice-President of the Louisiana Historical Society,
Hon. James A. Renshaw, has celebrated his Fiftieth Wedding
Anniversary on the twenty-seventh of October, 1924, and

Whereas, It is fitting and proper that the membership of our Society in a true spirit of comradeship should rejoice in the good fortune that befalls any of its number, as well as share in the sorrows and grief that come to them, and

Whereas, The splendid and well rounded matrimonial career of Mr. and Mrs. James A. Renshaw is a living example of worthiness and virtue and a source of inspiration to their fellow citizens, and

Whereas, It is given to few to consummate a married life of such usefulness and duration,

Be It Resolved, That the Louisiana Historical Society in monthly meeting assembled deems it an honor and pleasure to extend to Mr. and Mrs. James A. Renshaw the warm felicitations of its members on the occasion of their "Golden Wedding Anniversary," together with the full expression of the high regard and deep esteem which they entertain for their distinguished colleague.

Be It Further Resolved, That this resolution be spread on the minutes of the Society and a copy thereof bearing the signature of its President and Recording Secretary sent to Mr. and Mrs. James A. Renshaw. Unanimously adopted.

Mr. W. O. Hart presented to Mr. James A. Renshaw a bouquet of yellow roses as a further token of the Society's deep esteem entertained for its Third Vice-President, whereupon Mr. Renshaw thanked the Society for the manner in which it referred to the happy occasion of his Golden Wedding Anniversary.

On motion, the Society adjourned.

NOVEMBER.

The Society held its regular monthly meeting on November 25th, 1924, at the Cabildo.

The meeting was called to order by First Vice-President Edward A. Parsons, who presided in the absence of President Gaspar Cusachs.

The Recording Secretary read the minutes of the October meeting and on motion by Mr. W. O. Hart, were approved as read.

Mr. Parsons then called for committee reports, whereupon Mr. James A. Renshaw submitted the following names for election to membership in the Society: Thos. R. Douglas, Fred. W. Ellsworth, J. A. Falkenbury, Dr. Paul Gelpi, Edgar Kelley, C. E., William J. Keolin, H. A. Moise, Miss Jennie Renshaw, Dr. James A. Robertson, Dr. Wm. R. Strange, Rev. Louis Voss, Dr. H. W. E. Walther.

On motion, those proposed for election to membership were approved.

The following card of thanks from Mrs. James A. Renshaw, addressed to Mr. W. O. Hart, was read by the Recording Secretary:

"My dear Mr. Hart:

"Permit me to thank you for your graceful act in presenting Mr. Renshaw and me with so lovely a bunch of golden roses, just after the reading of the beautiful resolution adopted by the Louisiana Historical Society on the occasion of our Fiftieth Wedding Anniversary. It was a delightful and totally unexpected surprise.

"Sincerely,

"Oct. 31st, 1924."

"Mrs. Jas. A. Renshaw."

Mr. Parsons stated it would be a pleasure to file the above communication with the records of the Society.

Mr. Parsons then announced that at the last meeting of the Executive Committee it was unanimously agreed upon that it would be most proper for the Chairman of the committee to tell the Society what its agents were doing for it, in view of which he made the following announcements:

1. The April, 1925, meeting of the Society is to be known as the Lafayette Meeting, commemorating the Lafayette visit to New Orleans, April, 1825.

2. The annual banquet of the Society, to be given on January 8th, 1925, will probably be at the Patio Royal and the following committee will confer with Mr. W. R. Irby regarding arrangements and plans therefor: Messrs. W. O. Hart, Edward A. Parsons, and Andre Lafargue.

3. On motion, the President is authorized to appoint Mrs. Ruby Le Lande as Chairman of the "Relics Committee," to consist of two other members.

4. On motion by Mr. W. O. Hart, the Society will donate Fifty (\$50.00) Dollars to the Judah P. Benjamin Memorial Fund.

Mr. Parsons then called for new business. There being no new business, Mr. W. O. Hart was called upon to read his paper, "The Flags of the Confederate States," which treated of the various flags and particularly of the first flag of the Confederate States.

On motion by Mr. Jas. A. Renshaw, Mr. Hart was voted the thanks of the Society and the paper referred to the Executive Committee. So ordered.

"The Supreme Court's Appreciation of the 14th of September, 1874," was read by Mr. Jas. A. Renshaw. In the decision of the State Supreme Court in the case of Henry Street et al. vs. The City of New Orleans, opinion of which was handed down by Mr. Associate Justice F. P. Poche, and appearing in the 32nd Louisiana Annual, 577, Mr. Renshaw stated:

"With us the 14th of September, 1874, marks a grand day in the history of Louisiana; and while there should be no reason to fear any belittling of its glories by any of our own people, it is well to bear in mind that those at a distance, not seeing so clearly as we ourselves, may be pardoned if their vision of it is beclouded.

"It is, therefore, particularly pleasing to be able to read a decision of the Supreme Court of Louisiana, that should clear the minds of those afar of any erroneous impressions."

Mr. Parsons then called for motion and second thereto in order that the Supreme Court's decision read by Mr. Renshaw, material of which is due to Mr. Hart, for reference to the Executive Committee, so as to be printed in the Quarterly.

Mr. Hart informed Mr. Parsons that this motion was unnecessary as the Executive Committee had already accepted the paper to be printed in the Quarterly. Whereupon Mr. Parsons inquired if Mr. Hart had any objections to the Society thanking Mr. Renshaw for reading the opinion. Mr. Hart having no objection, the Society unanimously thanked Mr. Renshaw.

Lieut. Col. William C. Dufour, veteran of the Spanish-American War, was called upon for "Presentation of the Flag, Second Louisiana Regiment, Spanish-American War." In 1898, when the regiment was mustered into service, Col. Elmer E. Wood appointed Lieut. Col. William C. Dufour to accept the regimental colors presented by the ladies of New Orleans. Lieut. Col. Dufour then read the names of those who presented the colors. The presentation address was by Mayor Walter C. Flower, and the flag was presented by Miss Cora Richardson, and accepted on behalf of the regiment by Lieut. Col. William C. Dufour.

In presenting the State flag, carried by the regiment, Lieut. Col. William C. Dufour stated it was the first and last Louisiana State flag carried into a foreign country for service overseas, as there were no state flags in the World War. Whereupon, Lieut. Col. William C. Dufour, overcome with emotion, took his seat amid the prolonged applause of the members and guests assembled.

Mr. Parsons then announced that the acceptance of the flags was to be made by a Veteran of the World War, who saw active service overseas, the Recording Secretary, J. Mitchell Pilcher.

Col. Elmer E. Wood then came forward and made a personal presentation to the Society: a collection of newspaper clippings made by Mrs. Wood from the time the war broke out to the return of the regiment. The clippings compose almost a complete newspaper history of the regiment, the correspondent being Prof. John S. Kendall, who went with the regiment into Cuba, acting as Spanish interpreter.*

Colonel Wood then took his seat amid the prolonged applause of the members and veterans assembled, whereupon Mr. Wilkinson arose to move that Colonel Wood be thanked for his contribution to the Society, but that such a motion was unnecessary in view of the applause of those present.

On motion by Mr. Hart, duly seconded by Mr. Jas. A. Renshaw, and unanimously carried, the thanks of the Society were tendered Lieut. Col. William C. Dufour, Col. Elmer E. Wood, and veterans of the Second Regiment, Infantry, Louisiana Volunteers, for the presentation of the flags and the book of newspaper clippings giving the history of the regiment, and the list of names of the Ladies' Committee which presented the colors, and given to the Society, be ordered spread on the minutes, and further, that the thanks of the Society be tendered Mr. J. Mitchell Pilcher for his address of acceptance and that same be ordered spread on the minutes.

*A paper by Mr. Kendall on the subject is printed in Louisiana Historical Quarterly, Vol 7. No. 1.

REGIMENTAL COLORS, SECOND REGIMENT, LOUISIANA VOLUNTEER
INFANTRY, WAR WITH SPAIN, 1898-1899.

PRESENTED BY THE LADIES OF NEW ORLEANS AT CAMP FOSTER
(FAIR GROUNDS), NEW ORLEANS, MAY 23RD, 1898.

Ladies' Committee—Mrs. Elmer E. Wood, Mrs. H. Dufour, Mrs. T. S. Kennedy, Mrs. Chas. T. Madison, Miss Cora Richardson, Mrs. J. J. Shaffer, Miss Jean M. Gordon, Miss Ada T. Richardson, Miss Henrietta Cummings, Miss Bessie Flower, Miss Ida Hall, Miss May Schmidt, Mrs. W. W. Wallis, Miss Chalaron, Miss Hattie Campbell, Miss Annie Coleman, Miss Harriet Scott, Miss Kate Nobles, Mrs. Geo. M. Hodgdon, Miss Kate Gordon.

General Committee—Col. John B. Richardson, Chairman; Gen. A. E. Morphy, Gen. John Glynn, Jr., Gen. S. P. Walmsley, Gen. E. P. Cattreaux, Maj. H. B. Thompson, Maj. H. M. Isaacson, Capt. J. A. Chalaron, Capt. R. G. Guerard, Capt. B. D. Wood, Capt. Allison Owen, A. A. Maginnis, Capt. Bryan Black, W. W. Wallis, John W. Tobin, W. A. Gordon, W. L. Dufour, W. L. Parkerson, A. N. Cummings, M. J. Sanders, George H. Dunbar, George Agar.

Address of Acceptance, by J. Mitchell Pilcher:

"Mr. President, Veterans of the Spanish-American and World War, Ladies and Gentlemen:

"Lieut. Col. William C. Dufour has presented the Louisiana Historical Society with the Regimental Colors and State Flag of the Second Regiment Infantry, Louisiana Volunteers, commanded by Col. Elmer E. Wood at Camp Columbia, Cuba, during Spanish-American War operations. This regiment had the right of line and was the first unit to enter Havana at the lowering of the Spanish colors and the hoisting of the Stars and Stripes over Morro Castle.

"At the right of the regiment, as it led the triumphant entry into Havana, were the Regimental Colors, the gift of the women of New Orleans, following regimental muster into service. Embroidered thereon was the title: 'Second Louisiana Volunteer Infantry.' To the left was the State Flag, a blue field bearing the Pelican emblem, presented by the Fourth Louisiana State National Guard, incorporated into the regiment as the Second Battalion.

"The Louisiana Historical Society proudly accepts these flags for preservation among the sacred relics of its collection. With exceeding care do we touch these folds, worn with time and service. For the valor of those who gave their lives while in active service, has enrolled the name of the Second Regiment Infantry, Louisiana Volunteers, on the Bronze of History.

"And those who returned with the colors, for whom taps have sounded and are yet to sound, serve but to perpetuate in

their passing the lustre of these flags sacred to the history and traditions of our Country and State. Thus, in accepting these flags, do we salute the dead and render tribute fit and proper to the living."

Mr. Hart then gave an interesting talk on the subject of the Louisiana Flag, following which he extended to the veterans and assembled guests invitation to become members of the Society, and suggested that Mrs. Ruby Le Lande take immediate charge of the flags and other gifts presented to the Society.

Mr. Parsons announced that Mr. Lafargue had not as yet arrived to read "In Memoriam—T. P. Thompson," and the address, "Some European Experiences of a Louisiana Lawyer," by Mr. Edward Alexander Parsons, was next in order.

Mr. Parsons attended the American Bar Association convention in London last July and was presented at the English Court. He was the recipient of many honors in England. The meeting was the most important gathering of lawyers ever held. He described the functions in honor of the visiting lawyers, such as the meeting in Westminster Hall, the banquet at the Guildhall by the Lord Mayor of London, the banquet at Inns of Court, receptions at Westminster Palace and at Buckingham Palace. He also told of entertainments by the French government and lawyers in Paris.

On motion, the thanks of the Society were voted Mr. Parsons.

Mr. Lafargue, having arrived during the address of Mr. Parsons, was then called upon to read "In Memoriam—T. P. Thompson." On motion by Mr. W. O. Hart, the Memorial dedicated to Col. Thomas Payne Thompson was ordered spread on the Minutes and copies thereof sent by the Recording Secretary to family members of the deceased.

COLONEL THOMAS PAYNE THOMPSON A MEMORIAL

"The paths of glory lead but to the grave."

There passed from our midst on the fifth day of November of this year, a distinguished gentleman, a man of learning and a public-spirited citizen. Death, inexorable death, whose common law, neither young nor old, rich nor poor, famous nor obscure, can escape, has taken another heavy toll, and thereby has again reminded us most forcibly of the frailty and uncertainty of human existence.

Thomas Payne Thompson, "T. P. Thompson," as he was well and affectionately known to his fellow men, was born in Montgomery, Alabama, on November 11th, 1860. After receiving a thorough education in the public schools of his native city, Mr. Thompson, whose early business career as a traveling man had taken him to New Orleans time and again, decided to establish his domicile and to reside permanently in a city whose potent charms and historic associations greatly appealed to him. A lover of the past and a student of history, Mr. Thompson found that New Orleans was a field that would prove most congenial to his mental inclinations. Of engaging personality and convincing ability, he soon became one of the foremost life insurance underwriters of the United States. At the time of his death, and long prior thereto, he was associate general agent of the Equitable Life Assurance Society in this city. His connection with the various life insurance clubs that he belonged to, and in which his achievements as a successful business man had won him considerable fame and authority, gave him a large and influential circle of friends. Throughout the country T. P. Thompson's reputation as an able and successful life insurance agent was well and firmly established.

Notwithstanding the absorbing character of his business occupations, Mr. Thompson, during his lifetime, devoted considerable time and attention to movements looking to the welfare and development of the City of New Orleans. In 1908 he led a successful campaign against race-track gambling. Previously he had led a successful fight in his ward against yellow fever during the epidemic of 1905, the last to visit our city. In 1907 he was the prime mover, the originator, as a matter of fact, of the plan looking to the holding of an exposition in New Orleans to commemorate the opening of the Panama Canal. Though San Francisco won out in the intense and bitter campaign that was carried on, Colonel Thompson led his forces with considerable effectiveness and, largely through his efforts, the City of New Orleans was advertised on that occasion far and wide. In that respect the fight had not been conducted in vain.

Mr. Thompson was also interested in homestead activities. At the time of his death he was president of two of the leading homestead associations of the city, the Bienville Realty Company and the Greater New Orleans Homestead Association.

He was an untiring worker in the field of philanthropy and charitable endeavor. The Judah Touro Fund, the Touro Shakespeare Fund for the Aged, the State Board of Charities and Correction, and the Prison Reform Society, were institutions in which he left the impress of his able and distinguished coöperation.

An ardent and loyal Catholic, T. P. Thompson rose to great prominence and rank in the Knights of Columbus. He was held in high regard by his fellow Knights, who elected him time and again to positions of trust and considerable responsibility. For years he was president of the Marquette Association of Loyola and one of the leading spirits of the Federation of Catholic Societies, whose conventions he attended with regularity. He held membership in the Pickwick, Round Table, Southern Century, Lions, Golf and Country Clubs.

His library contained works of considerable value, both literary and historical. On its shelves were pamphlets, documents and books that dwelt largely with the history of the early Colonial days of the Louisiana province and most especially the City of New Orleans. His collection of Americana had earned a just and enviable reputation. They bore the stamp of the man—an historian and a conscientious literary worker.

A valuable member of the Board of the Louisiana State Museum, he was also for several years Second Vice-President of the Louisiana Historical Society.

We have lost, therefore, a fellow member. Peace unto his ashes. He has gone into the Great Beyond. Truly,

"The paths of glory lead but to the grave."

Andre Lafargue, Chairman.
Miss Emma Zacharie,
W. O. Hart,
James A. Renshaw.

Mr. Parsons then announced that there being no further business, a motion for adjournment was in order. On motion by Mr. Lafargue, the Society adjourned.

DECEMBER.

The Society held its regular monthly meeting on December 16th, 1924, the third Tuesday of the month, at the Cabildo.

In the absence of President Cusachs, the meeting was called to order by First Vice-President Edward A. Parsons.

The Recording Secretary read the minutes of the November meeting and on motion by Mr. W. O. Hart, were corrected so as to give the names of the Banquet Committee as: President Cusachs, W. O. Hart, Andre Lafargue, E. A. Parsons and Mrs. C. F. Borah. Approved.

The Chairman then called for Committee Reports, whereupon Mr. Kopple, Chairman of the Membership Committee, submitted the following names for election to membership in

the Society: Frank B. Smith, Col. Dallas B. Smith, Somerset A. Owen.

On motion, those proposed for election to membership were approved.

Mr. W. O. Hart, Chairman of the Banquet Committee, reported that among the honored guests to be present at the Society's Annual Banquet, to be held on January 8th, 1925, at the Patio Royal, would be Admiral Ferguson of the British Navy, and Captain Ramsey, husband of Princess Patricia of England, and urged the members expecting to attend to send in their names and applications at once so that all arrangements might be made in ample time.

Mr. Parsons added that Pierre Crabites, Judge of the Cairo Mixed Tribunals, and Mrs. Crabites were expected after Christmas and would, also, be honored guests at the Banquet, and probably Henry Irving's nephew.

In line with the announcements made at the November meeting, Mr. Parsons, as Chairman of the Executive Committee, informed the Society of the following transactions of the Executive Committee:

1. Mr. W. O. Hart informed the Executive Committee at its meeting held on Wednesday, December 3rd, 1924, that the day marked the one-hundredth anniversary of the Pennsylvania Historical Society. A telegram extending to that body the greetings and felicitations of the Louisiana Historical Society, through President Cusachs, was ordered approved and transmitted.

2. On account of the fourth Tuesday being too near the Christmas holidays, the Executive Committee agreed to hold the December meeting on the third Tuesday, December 16th.

Mr. Parsons announced, in addition to the above, that the "History of Louisiana," by Dr. Scroggs of the State University, will be used in the public schools over the State beginning next term.

The Chairman then called for new business. Mr. Hart submitted the following resolution:

Resolved, That the Constitution of the Louisiana Historical Society be so amended as to reduce the dues to Two Dollars (\$2.00) per annum.

Mr. Hart moved that the question of dues be referred to the Executive Committee. **Approved.**

Mr. Hart then announced that the Judah P. Benjamin house was formally dedicated on November 29th, 1924.

Mr. Parsons informed the Society of a letter received from Mrs. Charles Le Sassier, announcing the Easter Ball to be given in New York for the Bienville Memorial Fund.

The Chairman then announced the paper of the evening, "History of Printing in Louisiana," by Mr. William Pfaff. The paper is the result of a carefully arranged collection of material from the writer's personal library and, as stated by him, is really a series of notes with here and there some of his comments thereon. The notes begin in March, 1724, when the first mention of printing was made in Louisiana by Bienville ordering the publication of the Black Code. The first booklet published in the Louisiana Territory, of which record can be found, is "La Prise du Morne du Baton Rouge. Par Monseigneur de Galvez . . . a la Nouvelle Orleans, Chez Antoine Boudousquie, Imprimeur du Roi, at du Cabildo. M.DCC.L. XXIX." Only one copy of it is extant; Professor Fortier borrowed it and had it reproduced.

Moniteur de la Louisiane was the first newspaper in Louisiana, the earliest copy known to be in existence is Number 26, dated Monday, August 25th, 1794, four pages, two columns; contains news of a battle between the French and the Allies on April 26th, 1794. Carondelet was Governor at the time and the printer was L. Duclot with his (Governor Carondelet's) permission.

The paper then gives an outline of the various papers and journals published in New Orleans and over the State to the Reconstruction Period.

On motion, Mr. Pfaff was extended a vote of thanks by the Society and the paper was ordered referred to the Executive Committee.

Mrs. Marion Hoey Stem was called upon to read "The Acquisition of Louisiana," a national song, written by Michael Fortune, 1803, printed by the author in G. Willig's Musical Magazine, music by an amateur unknown, the chorus of which reads:

"Without arms, without dread—

"Or a drop of blood shed—

"Great Jefferson adds to the wealth of a Nation."

Mrs. Marion Hoey Stem was voted the thanks of the Society and the poem ordered referred to the Executive Committee.

Mrs. Benjamin Ory read "The Battle of New Orleans," by Theodore Roosevelt, from "Hero Tales from American History," published by the Century Company, 1897.

The Society extended a vote of thanks to Mrs. Ory and the paper ordered referred to the Executive Committee.

The Chairman announced that Mrs. De Zavala, of San Antonio, Texas, was present as a guest of the Society.

On motion, the meeting adjourned.



EDITOR'S CHAIR

HENRY P. DART, Editor.

**SOMETHING FOR THE
MEMBERS OF THE
LOUISIANA HISTORICAL
SOCIETY
TO THINK ABOUT**

This issue marks the eighth anniversary of the founding of the Quarterly, the first number having been dated January 8, 1917. It was launched without financial support and the making of the first volume proceeded in a haphazard sort of fashion, appearing irregularly and in contravention of the purpose of its founders which was to present every three months a work that reflected the progress of historical research in Louisiana during the preceding quarter.

At the close of the first volume the editor was making a strenuous effort to keep the pace, but conditions were unpropitious and he continued to fall behind, with his illness increasing the handicap. Upon his death (March 28, 1922) the present editor found the 1920 volume unfinished and he also attended to the printing of the volume for 1921, most of the material for which had been gathered by his predecessor.

It took time to organize a better system and to catch up the back numbers, but this has been done and now, for the first time since the appearance of the initial number, the Quarterly appears in the year of its date. We are hopeful the worst is over and that hereafter the publication date will be reasonably close to the date the number carries. But it is a huge task and we must make no rash promises.

Under the present management, a working and industrious corps of able associates has been gathered around the Editor's Chair, an esprit de corps has been created and the result has been exhibited in our pages during the past two years. The Quarterly has grown in favor and seems now deeply rooted in public appreciation. Indeed, one may say without egotism that it has become a necessity in the study of the history of Louisiana. It should not be allowed to falter or to die, but to support it efficiently an effort should be made to establish the publication upon an independent financial basis. This can be done and it should be the duty of the Louisiana Historical Society to see that it is done.

From the business standpoint the Society is engaged in an unbusinesslike performance that would not last six months in any well conducted establishment, for it is attempting the impossible in distributing this valuable publication at less than cost. This is due to the fact that the membership of the Society is steadily increasing without any increase in the membership dues which are today the same as they were before the Society undertook the expense of creating and distributing the Quarterly. The task of editing, printing and distributing a publication of this character is purely a business transaction. It should be conducted as such. This has been the policy of the present administration and to it is due the measure of success that has been attained. But the strain has fallen on the shoulders of men and women who are working gratuitously though in loyal sympathy with the purpose to be gained.

The result is a working machine that is being driven at full speed but without realizing the full effect that could be obtained if a part of the labor could be divided and placed where it belongs in the hands of trained persons who would be compensated for what is, after all, only routine but yet exhausting, toil. The editorial management is not complaining, but it is seeking to place the Quarterly in a position where our service could be concentrated upon the things that count. The duties connected with the Quarterly are clearly divisible into two distinct departments—in one, the literary or creative side, and in the other, the routine departmental work of supervision, printing and producing the work. To conduct the Quarterly properly the editorial corps must go far afield for material. It often misses opportunities thru the handicap of inability to spend a little money. Our funds must be conserved for tasks connected with the other department. In this latter, if separated from the other, a trained employee could be put on the routine work and do it as well, and perhaps better, than the editorial force, because that task would then be the sole duty of that department and the cost of doing it could be treated as it should be in the overhead without depriving the editorial end of its opportunities.

The money to start this work could be found by a slight addition to the annual dues. The subject is not a new one, for it has been recently agitated before the Society and approved but afterwards abandoned upon the theory that the

membership which now pays two dollars per annum would drop away were it asked to pay three dollars. We have never concurred in this view and we revive the discussion here at the opening of a new year.

The question is, does any member of the Society believe that the Quarterly has added additional value to the membership? The answer can only be in the affirmative. The second question is, would you not rather pay an additional dollar, to assure the continuance of the work at its present high standard?

Think it over, talk to your fellow members about it, and decide that it must be done.



RECORDS OF THE SUPERIOR COUNCIL
OF LOUISIANA.

XXV.

SUPPLEMENTAL INDEX No. 2.

September 4, 1734-January 14, 1736.

(See Editorial Note on this Supplemental Index, Louisiana
Historical Quarterly, page 676, October, 1924.)

(Continued from October, 1924.)

By HELOISE HULSE CRUZAT

Sept. 4, 1734. **Receipt** for 9200 livres by Louise Jousset de la
(5058) Loire to her husband, Pierre de Manadé, for
(1575) 400 pounds of tobacco, sold in France; 200
livres for pelts. Signed: Louise Manadé, Dar-
garay, Henry, Rossard, Notary.

Jan. 2, 1735. **Petition to Mr. Salmon** by Marianne Giraudon,
(9199) widow of Louis Viger, to convene meeting of
relatives and friends of deceased to elect a
tutor and under tutor to his minor heirs in
order to proceed to settlement of estate.
Signed: Mariane Giraudon.

(9199) January 2. Permit to assemble relatives and
friends of said Viger, following above peti-
tion. Signed: Salmon.

(9197) Proces verbal of above family meeting and
of election of Widow Viger as tutrix and of
Joseph Moreau as under tutor of minor heirs
and homologation of said election on their ac-
ceptance and oath. Signed: Marianne Girau-
don, Ozenne, Moreau, Piquery, Brantan, P. L.
Lefebvre.

Jan. 8. **Petition to Superior Council** by Hugues Mar-
(5252) quian for probate of will of Marie Fontaine,
wife of Jean Melain, called Lorangé, said will
having been made before her departure for
France, in his favor, on condition of paying
her debts and of having prayers said for her
soul. This petition made in order to obtain
permit to sell lots in order to pay funeral ex-
penses and to pay her debts. Signed: H. Mar-
quian.

January 8. To be communicated to Procur-
eur Général of the King. Signed: Salmon.

- (5253) July 16, 1734. Will of Marie Fontaine, wife of Jean Melain, called Loranger, leaving a house and a half lot to Hugues Marquian, with small legacies to others in recognition of loans and services rendered her. Signed with cross as mark of Marie Fontaine; by Dauphine, W. Lison and La Fosse as witnesses.
- (5251) January 13, 1725. Decision of Procureur Général of the King, following petition of Jan Melun, called Lorangé, the pretended will of his wife, Marie Fontaine, made under private seal, is declared null and void, not being signed by the testatrix. As Hugues Marquian is a creditor of the said deceased Marie Fontaine, it is just that the said lot and house be sold to liquidate funeral expenses and debts and that Marquian be considered as preferred creditor, and the lots that are not fenced in must be surrounded immediately; returns on these sales must go to pay debts and remainder turned over to the Attorney of Vacant Estates. Signed: Fleuriau.
- (5251) January 15, 1735. Certificate by Sheriff Pierre Dargaray of having advertised and posted sale of house and lots above mentioned and that no protests have been filed.
- April 5, 1735. **Sale of a Half Lot, No. 312**, by Hugues Marquian, creditor of Marie Fontaine, wife of Jean Melun. Said land was sold to Jean Joseph Le Quintrek. It is fenced in with pickets and on it is a miserable shanty; it brought the sum of 50 livres cash. Signed: Marquian, Henry, Le Quintrek, Hugault, Rossard, Notary.
- (5237) Jan. 15. **Petition to Superior Council** by Anne Souillette, wife of Riffaud, for permit to sell a house situated on a lot adjoining her present residence, which she bought last year from Sr. Fabure.
January 15. Permit for sale on complying with usual formalities. Signed: Salmon.
- (5184)
(1628) Jan. 16. **Sale and Transfer** to Antoine Bunel and Michel Brousset by Sieur Antoine Aufrere of one-half of the boat the "Ste. Anne," which he had bought in partnership with Bunel and Brosset from Sr. Alexis Douteau, Captain of the ship "Le Compte de Maurepas," for which sale he is to receive 300 quarters of tar which they

agree to deliver on stipulated terms. Signed: Aufrere, Bunel, Brosset, Henry, Hugault, Rossard. (In very bad condition.)

- Jan. 17, 1735. **Sale of Negroes**, at Forte Condé, Mobile, on request of Sr. Louis Potin, Attorney of Vacant Estates. A negro, his wife and two children adjudicated to Sr. de Lusser for the sum of 1500 livres; a negro, aged twenty-five years, to Mr. de Lusser for 800 livres; and one to Mr. de Pechon for 810 livres; one to Mr. de La Lande for 800 livres; one to Mr. Boisdoré for 590 livres. Signed by De Cremont, Potin, Le Bretton, Pechon, De Flandres, and Dubordier, Clerk.
- Jan. 19. **Inventory** of succession of Pierre Lamory, called Biscornet. Covers four and a half pages. Signed by Salmon, Fleuriau, Lenormand, and Henry, Clerk.
- Jan. 20. **Contract** entered into between Mr. de Salmon and Abraham Langlish, for construction of four pirogues 35 ft. by 5 ft., to be paid for on certificate of their delivery by Sr. Livaudais, Captain of the Port, at the sum of 200 livres each.
- Jan. 24. **Petition to Mr. Salmon** by Debat for permit to sell lot No. 126, purchased from Mr. Fillart. Permit for sale after compliance with formalities prescribed.
February 14. Certificate by Louis Hugault of required postings and publications and notice of sale. (Stained and torn.)
- Feb. 3. **Procuration** granted by Sr. Michel Brosset, who is on the point of leaving for the Isles of America, to Sr. Antoine Bunel, resident of New Orleans, empowering him to see to his business, to collect all debts due to said Brosset and to pay those due by him. Signed by Henry (assistant Clerk of Council), Brosset, Hugault, Rossard, Notary. (Stained and ragged.)
- Feb. 3. **Acknowledgment of Indebtedness** by Sieur Michel Brosset to Sr. Michel Rossard, Clerk of the Superior Council, to the sum of 3058 livres, as per account of last August, which amount

Brosset obligates himself to pay in one year from date, giving mortgage security for same. Signed: Jean Louis, Brosset, Bunel, Hugault, Rossard, Henry, Clerk.

(5189)

March 5, 1735. Security for 3058 livres to Mr. Jean-Baptiste Prevost, Attorney of Vacant Estates, by Mr. Michel Rossard; transferred by said Rossard to Mr. Michel Brosset, Sr. Antoine Bunel giving bond to meet said obligation at the given time in principal as well as interest. Signed: Pasquier, Hugault, Rossard, Prevost.

Feb. 6, 1735.

(5191)

(1662)

Marriage Contract between Jean Fradin, son of André Fradin and Francoise Robar, a native of St. Pierre, of Montange, diocese of Xaintes, and Miss Marie Joseph Dechaume, minor daughter of Pierre Dechaume and of Jeanne Francoise Maroy, now wife of Barthelmy Bimont. Signed: Jeanne Francoise Maroy, Bimont, Lemelle, Labbé, Larquet, Perier, Henry, Hugault, Rossard, Notary. (Water stained and ragged.)

Feb. 12.

(5194)

(1633)

Agreement between Mr. De Salmon, acting for the King, and Mr. Langloisiere de Ste. Therese, in the presence of Mr. Bizoton, Comptroller of the Marine, said Langloisiere to furnish to the King's stores 985 pounds of tallow, to be paid as agreed by the Treasurer of the Marine, deducting the tax for the benefit of the Invalids of the Marine. Signed: Salmon, Bizoton, Ste. Therese de Langloisiere, Henry, Hugault, Rossard, Notary.

Feb. 15.

(5203)

(1636)

Obligation contracted by Sr. Bronet, waggoner of Pointe Coupée, to pay for Sr. Maslon 2100 pounds of tobacco for the remainder due on the two negroes, which Sr. Maslon will return to said Bronet when his crop is gathered, furnishing security for same. Signed: J. Paillat, Henry, Hugault, Rossard, Notary.

Feb. 27.

(5204)

(1637)

Acknowledgment by Sr. Louis Tixerant and his wife, Marie Arlut, widow of Sr. André Carriere, that they owe to Sr. Michel Rossard the sum of 1765 livres as per judgment of Council on date of January 19, 1732, which is to be paid in specie of the Company with interest

thereon, and which they solidarily obligate themselves to pay in a year from this date with deduction to be made on account of change in specie, furnishing mortgage security for same. Signed: Tixerant, Rossard, Pasquier, Marie Arlut Fe Tixerant, Hugault, Henry, Assistant Clerk of Council.

(5205)

March 5, 1735. Discharge of Sr. Louis Tixerant and his wife, Marie Arlut, for full payment of above mentioned sum of 1765 livres, and interest thereon. Signed: Pasquier, Hugault, Rossard, Henry, Assistant Clerk.

Mar. 16, 1735. **Marriage Contract** between Sr. Jean Baptiste Denis, native of Boucherville, Canada, son of deceased Jean Baptiste Denis and of Catherine Guertin (?), his wife, and of Marthe Huber, daughter of Pierre Huber, absent, and of Marguerite Lorrie; Madam Francoise Carriere stipulating for the bride whom she raised in her home, where she now resides. Signed: Joseph Carriere, Pierre Huber, Henry, Marin, Hugault, Rossard, Notary. (Huber, also written Hubert, in said contract.)

(5212)
(1642)

April 2.
(5249)
(1651)

Procuration granted by André Joly, resident of Pointe Coupée, to Marie Taconet, his wife, residing in Paris, empowering her to act for him as well as for herself in all affairs and successions which may require their signatures. Signed: André Joly, Henry, Roman, Rossard, Notary.

April 5.
(5254)
(1653)

Declaration by Marie Anne Millar, widow of Remy Bigeon, called La Violette, heiress of her deceased uncle Francois Millar, that she has in her possession a note from said succession dated March 12, 1715, signed by Martin de Chasiron, for 546 plastres, due by Jean Bruneau, on which note the sum of 343 livres is due to said La Violette and the remainder is claimed by Antoine Chesman, pilot in the King's service. Sr. George Cape, resident of New Orleans, has obligated himself to pay to said La Violette on the arrival of the first ship of the King in this Colony. Signed: A. Chesneaur, La Violette, Henry, Hugault, Cappe, Rossard, Notary.

April 5, 1735. **Sale and Adjudication** of negro slaves of succession of Joseph Larche, before Mr. Jean Baptiste Raguet, Councillor, said slaves being brought to the Council by Sr. Joseph Chaperon, under tutor of minor daughter of said deceased Larche, leases of said negroes to be sold and adjudicated to highest bidders, after which Jacques Larche, tutor, is discharged from further responsibility of said slaves. Signed by Aufrere, Raguet, Henry, Clerk of Council.

(9672) April 3, 1735. Notice of leases of five negroes of succession of Joseph Larche to be sold at auction on the fifth of the current month. Signed: Hugault, Sheriff.

April 16. **Marriage Contract** between Louis Joseph Bizoton, widower of Marguerite de la Chaise, son of Mr. Charles Bizoton, Councillor of the King, at the Chatelet of Paris, and of Dame Anne Gabrielle Piretony and Demoiselle Marie Roze Malo, daughter of Michel Malo, in the commerce of Marine tubs at La Rochelle, and of Anne Caisse, his wife. Signed: Bizoton, Bienville, Rose Malo, Le Chvr. de Noyan, Malo, Balcour, Mergery Salmon, Salmon Le Bretton, Salmon, Prat, Membrede, De Cremont, Mariot, De Villars Du Breuil, Henry, Pasquier, Rosard, Notary.

(5269) July 1, 1736. Demand of Procureur General of the King that above contract be read and published at the sitting of the Superior Council and filed in the Registry for its full effect. Signed: Fleuriau.

July 7, 1736. Following demand of Procureur Fleuriau, donation mentioned in a b o v e contract filed and registered in Register, folio 34, at New Orleans. Signed: Henry, Clerk of Council.

April 25. **Exchange of Property** between Francois Castel, blacksmith, and his wife, Charlotte Le Roy, and Nicholas Charles Bourgeois and Marie Joseph Tarea, his wife, both wives authorized to sign in this transaction by their husbands. Castel transfers a lot on Bourbon Street, adjoining Sr. Cheval on one side and Sr. Nicolas Henry on the other, on which is a house 54 ft.

long and a kitchen, in the yard, with a negro cabin, the whole fenced in, in exchange for eight arpents of land on the other side of the river, at the Point, with house and improvements thereon, which property was acquired from Mr. de Bienville by act before Rossard, October 20, 1730, the present act passed before Nicolas Henry. Clerk of the Superior Council witnessed by Louis Hugault, sheriff of said Council. Castel's wife declared that she did not know how to sign. Signed by Bourgeois, Marie Joseph Tarare, F. Castel, Henry, Hugault. Rossard, notary.

May 1, 1735. **Marriage Contract** between Gilles Augustin Payen, Chevalier de Noyan, Major of New Orleans, native of the town and bishopric d'Auverges of Normandy, son of Messire Pierre Jacques Payen Sieur de Noyan, Seigneur de Chavoy, Lieutenant of the King's ships and of Dame Jeanne Catherine Lemoyne, on the one part, and Dame Jeanne Faucon Dumanoir, widow of deceased Mr. Jean Baptiste Massy, Councillor in the Superior Council of Louisiana. Signed: Gilles Payen Denoyan; Jeanne Faucon Dumanoir Widow Massy; Bienville; Salmon; J-B Faucon Dumanoir; Livaudais; Enoul de Bellile; Simars de Bellile; B. de Livaudais; Lafreniere; Marie Faucon; Chalinete Faucon; Membrede; Veuve le Sebure; Ste. Thérèse; Prevost; Veuve Cariere; Henry; Rossard, Notary.

(5301)

February 1, 1738. Demand of Porcureur General that above contract be read and published at the session of the Council and filed in Registry for execution in its form and tenor. Signed: fleuriau.

May 2.
(5242)
(1649)

Sale of Lot in New Orleans, by Isaac Poisat to Jacques Cantrelle, for the sum of 200 livres, paid cash by said Cantrelle. Signed: Poisat; Cantrelle; Henry; Hugault; Rossard, Notary.

May 2.
(5243)
(1650)

Deposit of Consent by Sr. Charles de la Vergne and of Demoiselle Antoinette Eliabezth de la Vergne to renunciation of sum to be annually paid as pension for support of Sieur Abel Ferdinand de la Vergne, novice in the Priory of St. Catherine, of the regular Canons of the

Congregation of France, Rev. Jean Baptiste G. de Soudrier de Boirvaux, General Procurator of said congregation accepting through Mr. and Mrs. Pierre de la Vergne, who hold procurement of their son, Mr. Charles de la Vergne, and their daughter, Damosel Antoinette Elizabeth de la Vergne, who in case of arrears furnish mortgage security for said amount, this obligation to cease at death of said Sr. Abel Ferdinand de la Vergne. Above act and renunciation passed September 9, 1733, deposited May 2, 1735, on which day said Charles and Antoinette Elizabeth de la Vergne obligated themselves solidarily for the said life pension of 200 livres to Sr. Abel Ferdinand de la Vergne, who at that time was a regular Canon of the abbey of Ste. Genevieve. Done and passed in New Orleans on this last date and deposited there on this date, May 2, 1735.

June 5, 1735. **Judicial Sale** of five negroes owned by Mr. de Périer, on order of Mr. de Salmon, following petition of Mr. Lange, overseer of Mr. Périer's plantation. Slaves sold for 2072 livres, which sum will be remitted to Mr. Lange in eight days. Signed: D'Auseville; V. Daublin.

June 16, 1735. Receipt to Mr. Henry for above sum and costs. Signed: Lange; Rossard, Clerk. (Stained and badly torn.)

June 26. **Petition** to Mr. De Salmon, Commissioner appointed by the King for the affairs of the Company of the Indies, by Sieur Antoine Bruslé, who declares that a sum of 10,667 livres, 8 s., 7 d., is due to the Company of the Indies by the deceased Francois Duguay, whose effects were remitted to Sr. Prevost, Attorney of Vacant Estates. Sr. Bruslé prays for citation of said Sr. Prevost to tender receipt for sum of 10,667 livres, 8 s., 7 d., to estate of said Francois Duguay, that however he, Bruslé, be allowed to seize in possession of Sr. Prevost and others the sums which he knows to be due to said succession of deceased Francois Duguay without prejudice to other rights and privileges. Signed: Bruslé.

**Succession of
Francois
Duguay**

June 26, 1735. Citation issued and seizure allowed at the risk of whom it may concern. Signed: Salmon.

(10754)

June 27. Notice to appear before Council on next Saturday at 2 P. M., to answer the charges in foregoing petition, served on Sr. Jean Baptiste Prevost, Attorney of Vacant Estates, on request of Sr. Bruslé, Agent of the Company of the Indies. Signed: Hugault.

(10751)
(Attached to
foregoing
document.)

Dated February 4, 1736. Petition to Mr. de Salmon, Commissioner of the Affairs of the Company of the Indies, by Sr. Prevost, Attorney of Vacant Estates, charged with effects of estate of deceased Sr. Francois Duguay, declaring that various seizures were made on said succession by different creditors; by the Company of the Indies for the sum of 10,667 livres, 8 s., 7 d.; by Sr. St. Martin, following decree by Council for 3999 livres, 15 s., and for the preciput carried in his contract of marriage with Dame Marie Bruslé, widow of Sr. Francois Du Guay, who died without issue from said marriage, in all the sum of 6649 livres, 15 s.; by said Sr. Bruslé, father of deceased Marie Bruslé, wife of St. Martin Jauriguibery, for 6000 livres, for his daughter's dowry, carried in contract of marriage between said deceased Duguay and his daughter; 800 livres as preciput; 360 livres as remainder of said Bruslé's administration of estate of his deceased daughter during her widowhood; in consideration of which said Sr. Prevost prays that the money of said estate be delivered according to the privilege of the Chamber of Credits and costs of justice, to proceed to division between heirs of said Duguay and those of deceased Marie Bruslé. Signed: Prevost.

(10765)

Decree of Superior Council in case pending between Sieur Antoine Philippe Bruslé, plaintiff, against Sr. Prevost, Attorney of Vacant Estates, ordering that he return 6000 livres paid by Sr. Bruslé as dowry of his daughter, Marie L. Bruslé, entered in contract of marriage with deceased Sr. Duguay, and 800 livres preciput stipulated in said contract, Sr. Bruslé to produce inventory taken at time of Duguay's decease. Signed: Salmon; Lafreniere; Raguet.

(10796)

Decree of Superior Council ordering that all goods of succession of deceased Francois Duguay be returned to Sr. Prevost, Attorney of

Vacant Estates, who is to pay plaintiff the sum of 3999 livres, 15 s., which amount Sr. St. Martin Jauregubery, plaintiff, paid for debts of Duguay during the time he was married to Widow Duguay, the 2000 livres of preciput carried in the second contract of marriage to be paid from goods and effects of community between Marie Louise Bruslé and her first husband, Duguay, St. Martin to turn over to Attorney Prevost negroes, cattle and plantations of Duguay succession as per statement made at time of his decease. Signed: Salmon; Lafreniere; Raguet.

(10874)

August 1, 1735. Auction sale of plantation of deceased Francois Duguay, and having no offer near the value of said plantation, the sale must be cried and posted anew, and another auction sale made after renewal of usual formalities. Signed: Raguet; Henry, Clerk of Council.

(10875)

August 27. Second sale by auction of plantation of deceased Sr. Francois Duguay, which did not bring its value, and order given for a third sale and proclamation of sale in fifteen days. Signed: Raguet; Henry, Clerk of Council.

(10876)

September 14. Third sale of Duguay plantation which did not bring its value, and order for another and last sale fifteen days later, after repeating usual formalities. Signed: Raguet; Henry, Clerk of Council.

(10877)

October 8. Sale and adjudication of Duguay plantation to Sr. DuBreuil at 500 livres, which being under value, another and last sale is ordered for October 19. Signed: Raguet; Du Breuil; Henry, Clerk of Council.

(10878)

October 19. Last sale and adjudication of Duguay plantation to Sr. Du Breuil for the sum of 500 livres paid cash. Signed: Raguet; Du Breuil; Henry, Clerk of Council.

(10879)

Transfer of Duguay plantation by Du Breuil to Sr. Hubert Harant, who obligates himself to pay price thereof to Sieur Prevost, as also the costs of Court. Signed: Du Breuil; Harant; Henry, Clerk of Council.

(10880)

February 10, 1736. Transfer and cession of Duguay plantation bought by Sr. Du Breuil, ceded to him by Sr. Harant, and lastly by Sr. Harant to Sieur Dreux on the same conditions

as said Harant bought it from Sr. Du Breuil and for the price of 500 livres which Sr. Dreux obligates himself to pay to Sieur Prevost. Signed: Harant; Dreux; Henry, Clerk of Council.

(10881) March 20. Transfer of Duguay plantation, mill, and improvements thereon by Sr. Pierre Dreux to Sr. Raguet, Councillor in Superior Council, on the same conditions as Sr. Harant ceded it to said Dreux, for the sum of 500 livres, which said Sr. Raguet promises to pay to Sr. Prevost, Attorney of Vacant Estates.

(10881) June 4. Receipt by Sr. Jean Baptiste Prevost, Attorney of Vacant Estates, in charge of succession of deceased Sr. Francois Duguay, to Sr. Jean Baptiste Raguet for the sum of 500 livres, paid for Duguay plantation as agreed. Signed: Prevost; Raguet; Henry, Notary.

(10780) October 1. Statement by Sr. St. Martin, as per order of Council, of effects, utensils and negroes owned by estate of deceased Sr. Francois Duguay, which Mr. Prevost, as Attorney of Vacant Estates, will account for, excepting the provisions.

(10774) October 2. Following decree of Council of July 8, 1735, sale and adjudication of Duguay plantation on the opposite bank of the river, measuring 18 arpents frontage on the river by 40 in depth, on which is a saw mill for boards,

(10838) October 24. Petition to Superior Council by Sr. St. Martin de Jaureguyberry to be declared a preferred creditor of succession of deceased Sr. Francois Duguay, for payment of debts which he enumerates and for notes which are not listed in memorandum presented by him on date of September 7. Signed: St. Martin.

(10858) December 17. Decree of Superior Council concerning bill presented by Sr. Antoine Philipe Bruslé, as curator of Marie Louise Bruslé, to Sr. Jean Baptiste Prevost, Attorney of Vacant Estates, for payment on estate of deceased Sr. Francois Duguay, deducting from required payment 150 livres for two bulls, 50 livres for twelve hogs, as there was no proces verbal made of their loss; debt of 250 livres which he says he paid to Sr. de la Chaise, Jr., presenting neither receipt nor notes in proof thereof; moreover, 450 livres in the list of purchases for which he produces no receipts,

all together amounting to the sum of 900 livres to be deducted from that of 31,032 livres posted in said bill, leaving the sum of 364 livres which Sr. Prevost will be held to pay on the proceeds of the sales of goods of said estate, after which the said account will be closed and the accountant discharged. Signed: Salmon; Raguet.

(10860)

December 17. Conclusions of Procureur Général of the King concerning bill presented to Sr. Jean Baptiste Prevost, Attorney of Vacant Estates, by Sr. Antoine Philippe Bruslé as curator of his deceased daughter, Marie Louise Bruslé, as to striking out of the statement all items which are not vouched for (as per enumeration) by receipts or other proofs, which will reduce the sum due to that of 364 livres, which Sr. Prevost will pay to him on returns of estate of said Duguay. Signed: Fleuriau.

(10755)

December 17. Decree of Superior Council after consideration of claim of Sr. A. P. Bruslé and defense of Sr. Prevost, ordering Sr. Prevost to pay only those items justified by vouchers, thereby reducing the amount due to 364 livres. Signed: By the Council; Rossard, Clerk of Council.

Effects of succession of deceased Sr. Francois Duguay adjudicated to Sr. St. Martin, amounting to value of 257 livres.

(10758)

December 17. Conclusions of Procureur Général of the King concerning bill presented by Sr. St. Martin de Jauryguybery, widower of deceased Dame Marie Bruslé, widow of Sr. Francois Duguay, dating from the 30th day of last November, and on that day served on St. Jean Baptiste Prevost, Attorney of Vacant Estates, following decree of Council of July 8, 1734, which said Procureur General declares that receipt to said Prevost should be closed and that Sr. St. Martin be duly discharged of further responsibility of all effects received from Duguay estate, and of Sr. Prevost's demand for charge for fruits, etc., to said St. Martin, and said St. Martin be indemnified for expense incurred on said succession. Signed: Fleuriau.

(10762)

December 17. Decree of Council after due consideration of all vouchers presented with account of Sr. St. Martin, the defense of Sr.

Prevost, report of Sr. Raguet, that account be closed as it stands, the remittance claimed being just and that Sr. St. Martin be duly discharged for all effects which he had in his possession proceeding from estate of Sr. Duguay, there being no reason to remit fruits or revenues, but since decree of last July. Signed: Salmon; Raguet.

(10759)

December 17. Decree of Council that account remitted to Sr. Prevost in receipt as well as in remittance be closed, that Sr. St. Martin be duly discharged of all effects in his possession from estate of deceased Sr. Duguay, that Sr. Prevost's demand for account of fruits and revenues of said succession is rejected, and that said Sr. Martin be indemnified for expense whilst suit was pending. Signed: By the Council; Rossard, Clerk of Council.

(10835)

August 7, 1735. Letter to Sr. St. Martin de Jaureguybery by Sr. Morisset, concerning some boards which Sr. Morisset has been unable to have delivered to him, explaining his difficulty and requesting a positive answer from Sr. St. Martin, declaring that he can not wait any longer. Signed: Morisset.

(10799)

November 12, 1734. Petition of Sr. Louis Morisset for citation of Sr. Prevost, Attorney of Vacant Estates, to compel payment of notes due by succession of deceased Sr. Francois Duguay, after previous citation of Sr. St. Martin, married to his widow, deceased Marie Bruslé, who was responsible for debts of his succession. November 12. Order for citation signed by Salmon.

November 19. Notice of citation served by Hugault, Sheriff.

(10816)

Vouchers produced to defend rights of Duguay succession against demand of Sr. Morisset, which was made to the Attorney of Vacant Estates August 5, 1733. Then follows defense of St. Martin on date of December 7, 1734.

December 16, 1734. Petition to Council by Sr. Prevost, persisting in his demand that the Council declare the deposit made by St. Martin, to acquit remainder due on three negroes bought from Morisset, good and valid, having been made following decree of Council on date

of September 5, 1734, and that Sr. Morisset be compelled to return the notes signed by Duguay. Signed: Prevost.

(10813)

Decree of Council that Sr. St. Martin must pay Sr. Morisset the full amount due on negroes though a negro slave is now worth only 500 livres, and costs of Court, and this in money then current in the Colony. Given in the Council Chamber August 5, 1733.

(10812)

Copy of decree duly served on St. Martin by Dargaray, Sheriff.

(10830)

September 4, 1733. Petition to Superior Council by Sr. Morisset for citation of Sr. St. Martin, to show cause why he should not pay sum of 3500 livres on notes signed by Sr. Duguay February 17, 1731. Citation issued and notice thereof served on Sr. St. Martin by Pierre Dargaray, Sheriff.

(10828)

Copy of decree of Council of September 7, 1733, in favor of St. Morisset, served on Sr. St. Martin by Sheriff Dargaray.

(10825)

October 15, 1733. Declaration in Registry by Sr. St. Martin (being about to leave for Mobile and in order to avoid the daily pursuit against him by Sr. Morisset), that he has deposited in Treasury orders the sum of 1063 livres, one-half of that claimed by Sr. Morisset, and a statement in the shape of a bill for boards and other effects furnished to said Morisset in the specie of this day, which with the said Treasury orders, amounts to the sum of 1134 livres in coin, which equal altogether that of 3530 livres, 10 sols, which sum exceeds by 30 livres Morisset's dues, which he should receive until sale be made of the three negroes which really belong to the community between deceased Sr. de la Goublaye and his widow, the present Mrs. Morisset. Original signed by St. Martin and Rossard, Clerk of Council. Certificate by St. Martin that the foregoing is a true copy of the original in his possession.

(10798)

List of vouchers of credits of Sr. Morisset to succession of Sr. Francois Duguay, covering defense, citations, decrees of Council and notes signed by Duguay in favor of said Morisset.

(10814)

February 17, 1731. Promissory note for 2000 livres signed by Francois Duguay to Morisset for value received in cash in three negroes.

- (10815) Promissory note to Mr. Morisset signed by Sr. Duguay and countersigned by Balcour, as witness, for 1500 livres, for value received cash in three negroes; also dated February 17, 1731.
- (10800) Declaration of Sr. Morisset concerning defense of Sr. St. Martin regarding debt still due on three negroes sold to Sr. Duguay, of whose labor Sr. St. Martin has profited since three years, and who seems to have resorted to procedures, the length of which help him to delay payment of 1500 livres on which there is a remainder due, which fell due two years ago and, moreover, of 2000 livres, which fell due two years ago and on which nothing has been paid. Sr. Morisset asks what justice there would be in his losing one-half of what is due on negroes, working for St. Martin since three years.
- (10802) Petition of Sr. St. Martin Jaureguybury to Council exposing his reasons for non-payment of 3500 livres claimed by Sr. Morisset for negroes sold to Sr. Francois Duguay, first husband of Sr. St. Martin's deceased wife, and protesting against all that may be protested, praying that Sr. Morisset be compelled to accept the sum offered on account of the difference in specie of that time.
- (10803) Sr. Morisset cited to appear before Council by Salmon.
- April 13, 1734. Notice of citation served on Sr. Morisset with copy of petition of Sr. St. Martin by Sheriff Dargaray.
- (10804) Defense of Sr. Morisset and answer to reasons advanced by Sr. St. Martin relative to specie of said notes; he acknowledges that specie was different but only asks that Sieur St. Martin pay in same specie. (Defense covers 3½ pp.)
- (10809) Copy of the foregoing served on Sr. St. Martin by Sheriff Dargaray.
- (10808) Copy of offer of Sr. St. Martin to pay to Sr. Morisset the sum of 1063 livres on account of the change in specie, which sum said St. Martin has deposited, said sum being one-half of 2126 livres still due on negroes ceded to deceased Sr. Duguay. The said negroes are owned partly or entirely by the community between Mrs. Morisset and Mr. de la Gou-

blaye, her previous husband, of whose heirs Sr. Morisset is curator. Signed: Dargaray, Sheriff. (Four last documents pinned together, the last so pale as to be almost illegible.)

(10823)

April 13, 1734. Petition to Superior Council by Sr. St. Martin de Jaureguybery, saying that he was sentenced by decree of Council on date of September 5, 1733, to pay to Sr. Morisset the sum of 3500 livres in money or receipts, and this in specie current at that date, that is, with the usual deduction followed in this Colony on account of the difference between the currency of France and the paper issued by the Company of the Indies. Said sum was deposited in the Registry as per certificate of deposit, here produced, said Sr. St. Martin praying that Sr. Morisset be cited and in default of his accepting said payment, that said sum be turned over to the Company of the Indies and Sr. Morisset, who is indebted to it, credited with payment of same.

(10824)

Sr. Morisset cited to appear before Council on order of Salmon. Notice of citation and copy of petition served on Sr. Morisset at his domicile by Sheriff Dargaray. (Document torn and with margins so ragged that text is lost.)

(10822)

Summons to Sr. Morisset to repair to the Registry to receive the sum there deposited by Sr. St. Martin, and declared to be good and valid by decree of Superior Council. Signed by Sheriff Dargaray. (Document stained and pale.)

(10852)

September 7, 1734. Summons to Sr. St. Martin de Jaureguybery, following order of Council, to remit to Sr. Prevost, Attorney of Vacant Estates, all that he has received from the succession of deceased Sr. Francois Duguay. Sr. St. Martin answers that he will do so when discharged by the Council from all debts paid by him for Duguay during his wife's life, said St. Martin then acting for his wife, who, according to her marriage contract, had full possession of said effects. Signed: St. Martin; Hugault.

(10849)

September 10, 1734. Notice served on Sr. St. Martin on petition of Sr. Prevost, to appear before Council, to be ordered without regard to reasons advanced by Sr. St. Martin to obey decree of said Council of September 7, 1734,

in producing all movables and immovables of deceased Sr. Duguay which have been in his possession. Signed: Hugault.

(10850-51)

Answer made by Sr. St. Martin that he is willing to produce inventory taken at time of his marriage to Widow Duguay, but that he wishes above all to be discharged by the Superior Council from debts contracted by deceased Duguay and to be reimbursed for those of said estate paid by him and for other claims cited in his memorial, copy of which was sent to Sieur Prevost, reserving against said succession debts paid by him which he was not able to include in said memorial, protesting against sale and division of returns of Duguay estate; that he and his wife had at the time of their marriage made mutual donation to each other, wherefore said St. Martin had been prompt to pay all debts of said succession intending to work for himself. That all the contents of the inventory being to his credit, he cannot desist until payment of his dues, consenting, however, that part be sold, proceeds to be turned over to him until said payment to him, asking for appraisement of the crop and protests against delay which Sr. Prevost's proceedings may cause to said payment. Signed: St. Martin; Hugault.

(10841)

October 20, 1734. Petition to Superior Council by Sr. St. Martin to consider accompanying statement and his petition of September 27, in which he includes all his pretensions on the goods of the Duguay succession in his possession, and to order that, besides his memorandum of 6547 livres, 5 sols, furnished on the 7th of last month, reserve be made of repeated claims against said succession, as he may prove that these debts have been paid and also that one-third of pretensions of deceased Marie Bruslé enter into community with him as per contract of marriage. Signed: St. Martin. Taken into account; Salmon.

(10844)

Notice to Sr. Prevost, Attorney of Vacant Estates, of above petition by Hugault, Sheriff, October 20, 1734.

(10841-42)

Foregoing document states that some debts were omitted because Sr. St. Martin has mislaid, lost, or misplaced the notes and receipts, considering these precautions useless at a time

when he thought that these goods were his own personal liquidation by virtue of his contract of marriage with Marie Bruslé, ignorant of a decree depriving him of goods belonging to him by right, which in the future might be found. In his contract of marriage with Widow Duguay there is a clause providing that a third of the contents of inventory of Duguay succession would enter into his community with said Marie Bruslé, agreements of the two contracts of marriage being at this day annulled by a false interpretation of the Custom of Paris, through an omitted formality in the two said contracts passed before Mr. Rossard, Notary Royal, on dates of March 31, 1731, and of November 20, 1732. It is unjust that said Sr. St. Martin be stripped of goods, which by right belong to him, by the lack of good faith of other parties, or through the fault of the Notary.

(10845)

Petition to Superior Council by Sr. St. Martin de Jauregubery, offering to submit to all demands of the Attorney of Vacant Estates, according to terms of decree ordering that movables and immovables of Duguay succession be remitted to said Sr. Prevost, St. Martin to claim thereon debts paid for first community. St. Martin declares that these goods are hypothecated to him until full payment of his dues; he has already been deceived in this affair by the bad faith of the parties and that he can be stripped of the rights that are his following his contract of marriage with Marie Bruslé, only by the false interpretation said parties give to the Custom of Paris, and for lack of formality in the contract passed before Mr. Rossard, Notary Royal, who maintains that the donation is good, saying that he himself has rendered it in the terms necessary to make it valid in all tribunals. He demands reimbursement of 6547 livres, 15 sols, coming to him on said succession, which he has not been able to pay without having recourse to his friends and by furnishing security on the goods of this succession which was then his. He cannot then give up the contents of said inventory as these same goods must serve to pay if recourse is had to force; petitioning that he be allowed to sell judicially sufficient

of the contents of the inventory to satisfy his indebtedness thereon to the friends who lent him funds, as he would have been compelled to sell the whole if they had not come to his aid. Signed: St. Martin. Document covers 4 pp., and in some parts is almost illegible.

(10854)

November 17, 1734. Petition to Superior Council by Sr. Antoine Philippe Bruslé, for citation of Sr. Prevost, Attorney of Vacant Estates, to order him to remit to said Bruslé the sum of 6000 livres, the dowry of his daughter, carried in contract of marriage of said Duguay and that of 800 livres for the preciput, reserving the right to make other claims in time and place. Signed: Bruslé. Sr. Prevost cited on order of Judge Salmon.

(10855)

Notice of citation and copy of Sr. Bruslé's petition served on Sr. Prevost, November 19, 1734.

(10856)

December 4, 1734. Excerpt from Registers of the Council: Between Sr. Antoine Bruslé, plaintiff, and Sr. Prevost, defendant. Certificate granted and added to other papers in case of St. Martin and the Attorney of Vacant Estates. An excerpt signed by Rossard.

(10767)

February 8, 1736. Decree of Superior Council ordering Sr. Prevost to pay to the Company of the Indies 10,667 livres, 8 sols, 7 deniers, on succession of deceased Sr. Francois Duguay, for effects, negroes and merchandise delivered by said Company from its stores and permit to seize in Sr. Prevost's possession the effects or moneys in hand until full payment of their dues; following decree of July 8, 1735. Said succession must also pay to Sr. St. Martin the sum of 3999 livres, 15 sols, on the one side, and 2000 livres moreover, with seizure and protest made security of said sums, that of 650 livres for note signed by Duguay and paid by Sr. St. Martin to Touranjeot, seizure made October 8, 1735; Sr. Prevost also ordered to pay to Sieur Philippe Antoine Bruslé the sum of 6000 livres on the one part, and 800 livres with protest and seizure in hands of Sr. Prevost, October 8, 1735, for security on two sums and that of 364 livres for account rendered of effects of succession of Sr. Francois Duguay, which is in his possession.

(10873)

May 31, 1737. Statement of papers added to list of effects of succession of deceased Sr. Francois Duguay, deposited with the Clerk of the Superior Council, to be communicated to Sr. D'auseville. Account rendered by Sr. St. Martin to Sr. Prevost; proces verbal of all movables and utensils owned by said Francois Duguay; decree of delivery of this current month; copy from Council registers of sale of Moutier land; order by Mr. Raguet; statement of costs paid to Registry; statement of those paid to the Sheriff; account rendered by Sr. Bruslé with twenty papers concerning it; fourteen decrees: notices, contracts of marriage, lease, acts as tutor, account of the Company of the Indies with said succession; all of which were deposited May 31, 1737. Signed: Prevost; Henry, Clerk of Council.

(10873)

July 16, 1737. Receipt tendered to Henry, Clerk of Council, for above papers in good condition, by D'auseville. (Note: The papers in this folder are mostly in bad condition.)

July 16, 1735.
(23526)

Procuration granted to Francois Gallot, Secretary of Monsieur de Bienville, by Jean Baptiste Hervieux, before the Notaries Royal of Montreal, to collect all sums due to said Hervieux in Illinois, Mississippi and other parts of Louisiana, by notes, bills of exchange or merchandise, etc. Done and passed in Montreal before Raimbault, Notary, August 24, 1733.

(23528)

On request of Sr. Gallot above procuration recorded in the Minutes of the Superior Council and a true copy made of it by Sr. Nicolas Henry, Clerk of Superior Council, on date of July 16, 1735.

(23529)

September 6, 1742. Excerpt from letter of Sr. Hervieux of Montreal, Canada, addressed to Mrs. Chamilly, his sister, granting her a procuration to collect a long standing debt. A true copy of same made and certified by N. Henry, Notary.

July 22.
(9972)

Petition to Salmon, first Judge of the Superior Council, by the Procureur General of the King, to have seals affixed on goods of succession of deceased Marie Vatal, who was married three times, and who has left an heir by each

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Marie Vatal**

of the husbands who preceded Leonard Callot, one of whom, Coupart, was indebted to the Company of the Indies, and that moreover enumeration and description of said effects be made in order to protect the rights of the Company and those of the two minors. Signed: Fleuriau.

July 22. Order by Salmon to Bizoton to affix seals to said goods.

(9963)
4 pp.

July 22. Seals affixed and inventory made of goods of succession of deceased Marie Vatal, first married to Jacques Paquier, secondly to Jean Coupart, and third to Leonard Callot. Signed: Callot; Fleuriau; Bizoton; Rossard, Clerk of Council.

(9973)

July 23. Petition to Mr. Salmon for permit to convene meeting of friends and neighbors of deceased Marie Vatal to elect a tutor and undertutor to her minor heirs. fleuriau.

(9970)

Order by Judge Salmon and notice served on friends.

(9967)

July 23. Report by Procureur General of meeting of friends of deceased Marie Vatel, wife of Leonard Callot, and election of Leonard Callot as curator of Remy Paquier and tutor of Marie Jeanne Coupart, and of Pierre Piquery as under tutor, and on their acceptance, homologation of said election. Signed: Callot; Piquery; Duriyaget; Thomelin; Le Moine; Fleuriau; Salmon; Rossard, Clerk of Council.

(9952)

July 25. Inventory of succession of Marie Vatel, deceased wife of Leonard Callot, on request of Sr. Bruslé, Agent of the Company of the Indies, taken before him and the Notary Royal. Inventory covers seven pages and is signed by Callot; Hugault; Bizoton; Rossard, Clerk of Council.

(9954)

August 11. Petition to Superior Council by Leonard Callot, husband of deceased Marie Vatel, to convene another meeting of friends to elect another curator and tutor to her minor heirs on account of his departure for France, at the same time rendering account of his tutorship of said minors. Signed: Callot.

(9954)

August 12. Order by Judge Salmon to communicate above petition to Procureur General of the King. August 12. Consent of Procureur General that another meeting be called.

- August 13. Order by Judge Salmon to notify friends of said minors, that meeting will take place at 2 P. M.
- (9955) August 12. Report by Leonard Callot to Judge Salmon of election of Sr. Thomelin as curator and tutor to Remy Pasquier and Marie Jeanne Coupert, minor children of deceased Marie Vatel. Act passed of said appointment. Signed by Callot; Thomelin; de Bady; Durivage; Le Moine; Le Dru, and Rossard, Clerk.
- (11577) August 13. Report to Judge Salmon of election of Sr. Le Moine as curator to Remy Pasquier, son of Marie Vatel and of Jacques Pasquier, her first husband; of Sr. Thomelin as tutor to Marie Jeanne Coupart, her daughter by Jean Coupart, her second husband; homologation of said election and discharge of Sr. Callot, who has rendered his accounts. Signed: Rossard, Clerk of Superior Council. (Document pale, water stained and torn.)
- (11576) August 19. Lease of house owned by Coupart succession to Sr. Jean Baptiste Gauvain, for the sum of 240 livres per year, beginning September 1, 1735, to September 1, 1737. Lease agreed to by Sr. Pierre Thommelin as tutor of minor heirs of deceased Marie Vatel. Signed by Jean Louis and Callot as witnesses.
- (11579) August 21. Lease of several negroes owned by succession of Marie Vatel, deceased wife of Leonard Callot, to Jean Fradin, by Sr. Pierre Thommelin, tutor of minor heirs, for the sum of 240 livres, for one year on usual conditions. Signed: Thommelin; (+) mark of Fradin; Delaplace, and Callot.
- (11573) February 6, 1736. Lease of negress of Coupart succession at 120 livres per year, by Sr. Pierre Thommelin, tutor of minor heirs of deceased Marie Vatel.
- (11574) August 24. Lease of negro slaves owned by succession of deceased Marie Vatel, wife of Leonard Callot, agreed on between Pierre Thommelin, tutor of minor heirs, and Sieur Petit, innkeeper, for the sum of 260 livres, for all of them, said Petit obligating himself to feed them and to furnish medical attendance and medicines in the event of illness. Signed: "Petit, boarding-house keeper"; Thommelin.

- (11565) (No date.) Receipt by Sr. des Lauriers for the sum of 67 livres, 5 sols, for repairs of house and material furnished to heirs of deceased Jean Coupart. Signed: Ricard.
- (11563) Receipt to Pierre Thommelin by Sr. St. Joseph, Ursuline nun, for 3 livres, for books furnished to Marie Jeanne Coupart.
- (11567) Receipt by Chastand to Pierre Thommelin for payment of 49 livres, due of funeral expenses of Marie Vatel, deceased wife of Leonard Callot.
- (11571) August 19, 1736. Receipt by Surgeon Pierre de Manade to Pierre Thommelin for payment of 10 livres, due for treatment of a negress owned by Coupart succession.
- (11570) Lease of negro by Sr. Pierre Thommelin to Sr. Harang at 120 livres per year, said Harang to pay quarterly and not holding himself responsible for death of said negro or for his hire if he runs away. October 1, 1737. Signed: Harant.
- (11555) January 26, 1738. Receipt to Thommelin for payment of 10 livres for medicine to a negro girl owned by Poupard succession. Signed: Reytet. (Poupard in text.)
- (11556) January 26. Receipt to Pierre Thommelin for treatment of deceased Mr. Poupard, for the sum of 20 livres. Signed: Reytet. February 13. Certificate that Thommelin kept an account of work done in the yard of a house owned by Poupard succession; a well being filled and a new one dug, cistern made and ditches dug around the house. Total, 166 livres. Signed: Baudmont, called des Loriers.
- (11559) January 27. Acknowledgment signed by Du Pont, of having taught Miss Poupard how to read during a year at the remuneration of 40 livres per month.
- (11558) Bill sent to Mr. Gauvain for work done on house of Marie Vatel since October 15, 1736.
- (11553) September 31. Statement of clothes furnished to negro owned by Coupart succession by Harant, on Mr. Thommelin's order, and certificate that said items were delivered to account of Coupart succession. Signed: Harant.
- (11566) Statement of repairs amounting to 30 livres, 10 sols, made on house of deceased Coupart, and receipt to Mr. Thommelin for payment of said sum. Signed: Le Duc.

(11564) Receipt to Mr. Gauvain for payment of 5 livres for repair of the kitchen furnace and for bricks furnished in house leased to Thommelin, tutor of Marie Vatel's minor heirs. Signed: Ricard.

Sept. 1, 1735. **Acknowledgment of Indebtedness** to the Company of the Indies by Claude Boisson, edge tool maker, and his wife, Magdelaine Chesne, to the sum of 14,195 livres, which debt was incurred by Boisson and by René Duchesne, first husband of Magdelaine Chesne. Mr. and Mrs. Boisson obligate themselves solidarily to pay said amount in two equal payments within two years, furnishing mortgage security for same. Signed: Bruslé; Hugault; Henry; Rossard, Notary. Approved by Salmon, Commissioner.

(5396) September 1, 1735. Attached to previous document: Mortgage security furnished before Notary Royal by Claude Boisson and his wife, Magdelaine Duchesne, so authorized by her husband. They both declared that they did not know how to write nor sign. Signed: Rossard, Notary Royal.

Sept. 1. **Procuration** granted by Raymond Amyault Ecuyer Sieur d'Auseville, Councillor in the Superior Council of Louisiana, to Mr. Jacques Rasteau, merchant and ship chandler of La Rochelle, guaranteed by Mr. Elie Seignet, Captain of the "Comte de Maurepas," whom he empowers to collect in his name the deposit in the Company of the Indies of thirteen shares with interest and dividends thereon, due since the 1st day of last January, deposited in the year 1726 as security for a loan of 20 negroes, whom the Company ordered to be remitted to him, as also to withdraw payment from the said Company of the sum of 14,125 livres as dividends on these same thirteen shares due on the 1st day of December, 1730, conformably to decree rendered by Council on the 8th of last June, by Mr. de Salmon, Commissioner Intendant of the King, to settle and rule in the credits and debts of the said Company; and this without any prejudice to said constituent on his other pretensions on said Company. The said constituent also empowers Mr. Ras-

teau to resort against Company to seizures, decrees, sequestrations and generally all procedures and pursuits necessary, etc.; and as the said Sr. Rasteau is a resident of La Rochelle, constituent empowers him to commit to that effect in Paris any solvent person whom he shall name in his stead, giving said person all powers above enumerated, granted to Sr. Rasteau, all of whose proceedings shall be reported and accounted for by said Sr. Rasteau, said constituent remitting by these presents all necessary vouchers and papers bearing on the case, list furnished, and order of Mr. Rasteau on the said Company for the sum of 6467 livres as payment of dividends running to the last day of December, 1734. Signed: Amyault D'auseville; Seignette; Balcour; Cr Gayot; Rossard, Notary. (Document slightly worm-eaten.)

Sept. 3, 1735. **Acknowledgment** of indebtedness to the amount of 1554 livres, to Sr. Gerard Perry, merchant of New Orleans, by Sieur Michel Brosset, Louis Cheval, and the wife of Antoine Bunel, acting in his name, all three associates, who obligate themselves solidarily to pay to said Sr. Perry, in two equal payments, on dates of December 15 and in March, the full amount due, furnishing mortgage security for same. Signed: Brosset; la Bunelle; Henry; Cheval; Hugault. Document stained and ragged.

Sept. 27
(10202)
(2433) **Seals Affixed** on goods of Succession of Francois Rivard, deceased, in his house at Bayou St. John, following petition of Procureur General of the King, in the presence of Mr. de Salmon, Commissioner of the Marine, Intendant and First Judge, and of the Clerk of the Council. Signed: La Veuve Rivard; Salmon; Fleuriau, and Rossard, Clerk. Document in very bad condition.

(10208) September 28, 1735. Petition to Mr. de Salmon by the Procureur General to affix seals on goods of succession of Sr. Francois Rivard, who died last night, and to take inventory of all his movables and immovables as he leaves a little girl of 18 months and a pregnant wife, for the protection of the rights of the minors and of the creditors, if any. Fleuriau. September 28. Petition granted by Salmon.

- (10204) October 6, 1735. Inventory taken of clothes, lands, negroes and cattle owned by deceased Sr. Francois Antoine Rivard, who by his marriage to Madam . . . de Villemont, leaves a daughter of 18 months and a posthumous child, who must be provided with a tutor and even the mother, who is aged 20 years, must have a curator, and this considered, the Procureur General petitions that a family meeting of relatives and friends be convened to elect a tutor and proceed to appraisement of goods of said deceased Rivard, with all possible diligence. Signed: Fleuriau.
- (10206) October 7. Proces Verbal of deliberation of family meeting and of election of Madame Widow Rivard as tutrix, and of Mathurin Dreux as under tutor. Signed by La Veuve Rivard; M. Dreux; Rivard; Raguet; Lafreniere; Chastang; Salmon; Amyault D'auseville; P. Martin; Fleuriau; Rossard, Clerk.
- (5441) October 19. (Indexed). Indebtedness to
(indexed) Company of the Indies by Dame Antoinette Fourrier, former widow of Sr. Mirbaise de Villemont, now widow of Sr. Antoine Rivard, and Dame Jeanne Antoinette de Villemont, her minor daughter, also widow of Sr. Rivard, Jr., which they acknowledge and furnish mortgage security for payment of said debt.
- Oct. 7, 1735. **P**etition by Sr. Pradel, Captain of a detached
(5400) Company of the Marines, to Mr. de Salmon, for permit to sell a house and two lots.
October 8, 1735. Permit granted on condition of observing usual formalities. Signed: Salmon.
- October 25. Certificate by Sheriff Hugault that sale was cried and published three times as ordered.
- Oct. 9. **M**anumission of Marie Charlotte and Louise, her
(23589) small daughter, by their master, St. Pierre de St. Jullien, for the services rendered him by said slave, and that said manumission may not be disputed he hypothecates all his goods for any debts he may have towards the Company or others. Signed: Charle De St. Pierre Chevalier de St. Julien; Henry, witness; Aufrere, witness.

Note on reverse of act of manumission: Freedom not valid as Mr. de St. Julien owed three times as much as his goods were worth, and that freedom was granted to said slaves without consent of the Government.

- Oct. 28, 1735. **Election** of Sr. Mathé as tutor, and of Sr. Deslat-
(10506) tes as under tutor, of minor children of Marie Martine, deceased wife of Pierre Mathé, who was previously married to Pierre Lambert and to Sebastien Frouen, and homologation of said election on their acceptance. From marriage to Frouen there is a girl of 14 years and a boy of 9 years from Lambert. Signed: Mathé; Delatte; Fleuriau; Rossard, Clerk; Salmon. Document stained and torn.
- (10510) October 28, 1735. Petition to Mr. Salmon by Attorney General to have inventory made of goods of deceased Marie Martine, wife of Etienne Mathé, from which marriage there is no issue, but there are two heirs from her previous marriages, who inherit her share of the community. Signed: Fleuriau. Order to take inventory signed by Salmon.
- (10502) October 28. Inventory taken and seals affixed to goods of deceased Marie Martine, wife of Etienne Mathé. Signed by Matte; Fleuriau; Hugault; Bizoton; Rossard, Notary. Document stained, with ragged edges.
- Oct. 28. **Petition** to Mr. Salmon by Procureur General of
(10511) the King, acting for minor and absent heirs of Gabrielle Savary, deceased wife of Jean Baptiste Saucier, secondly of Pierre Vifvareme and thirdly, of Jean Baptiste Samso, to convene a family meeting to elect a curator to minor heirs.
- Report of meeting submitted and election of Nicolas Brantan homologated. Signed by Broutin; Trudeau; Lafreniere; Morisset, Fleuriau; Du Breuil; Brantan; Corneu; Salmon; Rossard, Clerk. (Document badly stained.)
- (10545) Inventory of goods of Succession of deceased
(2468) Gabrielle Savary, on petition of Nicolas Brantan, curator of her minor heirs, from marriage to J-B. Saucier, and to Pierre Vifvareme, for protection of their rights and of those of the absent heirs. Signed: Brantan; F. Saucier; Hugault; Vifvareme; Bizoton, and Rossard.

(10555)

Discharge to Nicolas Brantan after settlement of estate of Gabrielle Savary. Signed: Henry Saucier; Piquery; Hugault; Henry, Notary. Document stained, with torn margins and script torn away in two places in body of document. Dated 1738 on margin and in body gives correct year, 1735.

Nov. 13, 1735.
(10598)
(2480)

Inventory taken of effects of Sr. Joseph Courier, missionary of foreign missions, who died at the house of the Capuchins; information given to Procureur General by Rev. Friars Philipe and Pierre, Capuchins of the Parish church of New Orleans. Signed: Fr. Philippe, Capuchin Missionary, Vicar General; F. Pierre, Missionary Priest; Salmon; Fleuriau; Rossard. (Pages of record mixed with that of Savary succession.)

Dec. 7.
(6266)

Petition to Intendent Salmon by Hubert Harant, for citation of Mr. Prevost, to order him not to oppose sale of house at price that suits the vendor, in view of the fact that the house is not in as good condition as when she bought it from him. Prevost cited to answer thereon. Signed: Salmon.

December 7, 1735. Notice of citation served on Sr. Prevost, Attorney of Vacant Estates, by Sheriff Hugault.

(1941)

December 10. Hubert Harant, acting for Widow Lazou vs. Sr. Prevost, Attorney of Vacant Estates, both plaintiff and defendant.

Judgment in favor of Prevost. House to be sold after three postings at eight days distant, the price of its adjudication to be paid cash as well as the costs and expense included.

(6273)

Inclosed in previous document on date of December 7, 1735: Review of above case and citations served on Sieurs Harant and Prevost to appear before Council at its next session and certificate by Sheriff Hugault that he has served these summons.

(6303)

November 13. Petition to Mr. de Salmon by Sieur Francois Fleuriau, Procureur General of the King, acting for his brother-in-law, Sieur de Morieres, absent in the King's service, for permit to sell six or seven arpents of land between the plantation of Mr. D'Auseville and that of the Reverend Capuchin Fath-

ers, said land having been cleared and cultivated by said *Sieur de Morieres*. The cabin on it is in ruins and the levee has been carried away by high waters, and said *de Morieres* being in the troops, is unable to make it yield returns and has an offer from *Sr. Jacques Carriere Malozé* of 250 livres, payable in six months, in payment of a negro due to him. More advantageous conditions have not been presented and *Mr. Fleuriau*, in his name, craves approval.

December 15. Order to communicate to the Director of the Company of the Indies. Signed: Salmon.

(6307)

December 16. Permit for said sale by *Sr. Bruslé*, Agent of the Company of the Indies, on condition that the price of sale, 250 livres, be turned over to the Company by *Sr. Carriere Malozé*, in payment of a negro whom *Sr. de Morieres* owes to the Company, in the division made of the vessel, the "*St. Louis*," on February 19, 1731.

(6307)

Permit for sale after required advertisements. Salmon.

January 2, 1736. Certification that required publications and postings were made during three consecutive Sundays, by *Hugault*, Sheriff.

Dec. 14, 1735. (10698) **Petition** to Intendant Salmon by the Attorney of Vacant Estates, for affixing of seals on goods of succession of *Mr. Louis de la Marque*, who has just died, and as he has no heirs in this Colony, that inventory be made for the protection of those whom it may concern. Signed: *Prevost*. Petition granted and *Mr. Bizoton* ordered to affix seals and to take inventory of goods of said deceased. Signed: Salmon.

(10692)

December 15. Inventory of goods of *Mr. de La Marque* taken by *Mr. Louis Joseph Bizoton*, subdelegate of *Mr. de Salmon*, in the presence of the Attorney of Vacant Estates, of the Procureur General and of *Rossard*, Notary. Inventory covers four pages.

(10696)

December 15. Protest filed by *Sr. Francois Chestang*, Director of the Concession of *D'Asfeld and Co.*, against sale or division of estate of *Sr. de la Marque* until payment of rent due for rooms he occupied on said Concession. Signed: *Chastang*; *Rossard*.

- Similar protest by Jean Baptiste Lapierre, wig-maker, for payment of a debt of 100 livres, 5 sols. Signed: Lapierre; Rossard.
- (10697) Protest filed by Pierre Piquery against sale or division of estate of Sr. Louis de la Marque, until payment of 121 livres for 737 pounds of bread furnished by said baker. Signed: Piquery; Rossard, Clerk.
- Protest filed by Isaac Poisat, wig-maker, against sale of effects and division of returns until payment of 37 livres, 10 sols, due to him on a note signed by deceased Sr. Louis Lamarque. Signed: Poisat; Rossard, Clerk.
- (10699) December 18. Notice to the public by order of Mr. de Salmon, Commissioner, Intendant and First Judge, that sale and adjudication of effects and negroes of succession of deceased Sieur Louis de Lamarque, following request of Attorney of Vacant Estates, will take place on the 22nd of the present month of December, from 8 to 11 o'clock in the morning.
- (10690) December 22. Sale and adjudication of kitchen utensils, crockery, wearing apparel, bedclothes, negroes, etc. Signed by Prevost; Fleuriau; Bizoton; Rossard, Notary. 6 pp.
- (2502)
- (10690) Protests against sale or division before payment of debts filed by Chastand, Lapierre, Piquery and Poisat, all protests countersigned by Rossard, Clerk of Council.
- (10696)
- Jan. 5, 1736. **Contract** passed between Mr. de Salmon, in the King's name, and Francois La Croix, said La Croix obligating himself to furnish to the King's store at the Natchez post in next June, 2715 pounds of Illinois flour at 21 livres the quintal; this contract passed in the presence of Sr. Bizoton, Comptroller of the Marine, the said La Croix furnishing security for said delivery. Signed: Francois La Croix; De Troyes.
- (5478)
- (1730)
- Jan. 9. **Exchange** between Jean Baptiste Crely, journeyman of Illinois, and Gatien Bredit, called Touranjot, gardiner of the King, said Crely delivering a negress from the Company of the Indies for a negro called Banit, also from the Company, the said Corly furnishing moreover 1000 pounds of Illinois flour and two hams, which he promises to deliver at New Orleans,
- (5480)
- (1731)

furnishing mortgage security until said delivery. Signed: Crely; Piquey; Hugault; Henry, Notary.

(5481)

April 8, 1746. Receipt and discharge from above obligation by Lucie Henry Meyere, widow of Gatien Bredy, called Touranjot, to Marie Francoise Eyet, wife of Cresly, for payment of 1000 pounds of flour and two hams as agreed.

Jan. 14, 1736.

(5482)

(1732)

Acknowledgment by Michel Vien, resident of New Orleans, and his wife, Francoise Le Vert, and Jean Baptiste Cresly, and his wife, Francoise Ayer, of their indebtedness to Sr. Raymond Amyault D'Auseville, the sum of 486 livres which they obligate themselves solidarily to pay D'Auseville on return of Vien or Cresly, furnishing mortgage on Vien's house "Rue du Corps de Garde," both wives being authorized to same by their husbands. Signed: Crely; Marie Francoise Ayer; Vien; Hugault; Balcour; Henry.

(5484)

January 15, 1736. Receipt by D'Auseville to Cresly and Vien, the sum of 144 livres in merchandise on account of their debt.

(To be continued.)



INDEX TO THE SPANISH JUDICIAL RECORDS
OF LOUISIANA

VIII

(Continued from October, 1924.)

1770—October 16.

Mr. Reboul vs.

Mrs. Duverge.

No. 4101. 6 pp.

Court of Governor Unzaga.

Assessor—None named.

Escribano—None named.

To collect several notes
and bills.

signature and acknowledge the debt. This petition is signed by Leonardo Mazange and Francisco Caminada, empowered by Alexandro Reboul. The Court orders the defendant summoned to testify.

On September 19, 1771, the escribano declares he notified the defendant of the foregoing decree, who said she did not wish to take oath, nor to acknowledge the accounts and notes that had been presented, nor did she wish to say if she owed or did not owe the debt. The escribano attests to the truth of this statement, as he spoke to Mrs. de Verges in person. This statement is unsigned and ends the record.

October 16.

Triere vs. Reboul.

No. 4107. 32 pp.

Court of Governor Unzaga.

Assessor, Cecilio Odoardo.

Escribano, Juan B. Garic.

To collect a debt. Defendant's wife opposes for her dowry.

and that Darensbourg under oath before the escribano declare to the exact sum due Reboul. Unzaga orders the two debtors to verify their debts, Mr. Darensbourg to place the amount stipulated at the disposition of this Tribunal. The declarations to be delivered to Mr. Triere to be used when convenient to his rights.

Alexandro Reboul, tutor to the minors (unnamed in the record, but are his step-children, the Guinaults) by substitution of procuration of Leonardo Mazange, sets forth that the Widow Duvergé (should be de Verges) owes him 2461 livres as will appear from the notes and accounts which he presents. He prays she be summoned to verify her signature and acknowledge the debt.

Claudio Triere alleges that Alexandro Reboul owes him 670 livres, 18 sols, in hard pesos, due on his notes here attached. This debt he has been unable to collect. Mr. Darensbourg, Jr. (Charles), owes the defendant about 500 livres, the remainder of the purchase price of a negress. He prays for a provisional seizure of this amount (embargados conservatorios)

On October 19, Alexandro Reboul declares that the first note for 375 livres and the third for 125 livres, 18 sols, are his, but the note for 32 piastres (160 livres) he does not accept as his. On October 22, Charles Darensbourg under oath states he does not owe anything to Mr. Reboul. It is true he did owe Mrs. Reboul 478 livres, remainder of a debt for the purchase of a slave acquired from her, but he paid this amount about eight days before.

November 5, Triere states that the note presented for 32 piastres is Mrs. Reboul's, due for money he lent her. He prays that it be returned to him so that he may take the necessary legal formalities to collect his money. Petition granted.

November 13, plaintiff prays for a writ of execution against the defendant's person and estates for 500 livres, 18 sols, which is the amount acknowledged together with its one-tenth and costs. Unzaga orders defendant notified of this petition, but owing to his absence on his plantation the escribano fails to serve the notice. This calls for a writ of summons, and on November 19, Unzaga on Odoardo's advice rules: "Let the writ of summons be issued and entrusted to a proper person for delivery, and in consideration whereof Reboul must acknowledge the notes before the escribano and not the sheriff. Let him repeat his acknowledgment to avoid nullity. Let the decree be complied with in all and for all, with the exception of the embargo against Mr. Darensbourg, as it is evident he owes the Rebouls nothing. Assessor's fees, 10 reales. Signed: Unzaga, Odoardo. The writ was issued and delivered by Santiago Hallays, who certifies to the fact before Juan B. Garic.

December 11, plaintiff reiterates his plea for a recognition of his signature and prays that the debt be ordered paid. Unzaga and Odoardo rule that this must be done within 15 days. About a year elapses, and on January 21st, 1772, the defendant, having failed to obey the foregoing decree, the plaintiff repeats his plea for a writ of execution, which the Court orders issued on January 22nd.

March 22, 1772, Claudio Triere sets forth that this lawsuit having been finished it is necessary for him to have Mr. Reboul's note as well as all the papers and written instruments of the present suit. He prays that the escribano be ordered to return all to him as he does not wish to continue the lawsuit against Mr. Reboul any longer. Petition granted, leaving a note of the records (in the Archives) for certification. Costs taxed at 19 pesos, 6 reales, April 20. On May 23, 1772, Triere signs a receipt for Mr. Reboul's two notes.

The case was suspended for two years and on May 5, 1774, Claudio Triere resumes his suit against Alexandro Reboul by petition, stating that defendant, having prayed for an extension of some months to enable him to pay, this said extension was granted, still Mr. Reboul makes no effort to satisfy

his obligations. He again asks for a writ of execution. On May 6, Unzaga on Odoardo's advice, orders the writ of execution of January 22, 1772, complied with.

May 19, 1774, Claudio Triere states that a house belonging to Mr. Reboul has been seized to pay a debt due him. He asks that the house be called for public sale and that Francisco Liotau be appointed as appraiser to put a value on it. The Court confirms the appointment, ordering him notified so that he may accept and take oath. The other party must name his appraiser within one day with a warning that if he fails to do so one will be appointed for him. This done, let them proceed to call the sale to fulfill the ends of law.

On the same day Francisco Liotau qualifies and proceeds to the house which belongs to the late Isaac Guinault's succession to estimate its value, which he does in the presence of Alexandro Reboul and Claudio Triere. The real property consists of a lot of ground measuring 60 by 120 feet, adjoining Mr. Robin on one side and Mr. Pictet on the other, upon which has been built a house 60 feet long by 30 feet wide, consisting of a parlor, a dining room, three other rooms and a shop; four brick chimneys between the rafters, boarded up above and below; the house is raised two feet from the ground, resting upon brick pillars, covered with a shingled roof, with doors and battened windows, with keys. In the courtyard (patio) a kitchen 30 feet long by 16 wide; in one room there is a brick chimney boarded up above and below between the rafters, covered with a shingled roof, with battened doors and windows closed with keys. A shop 35 feet long by 21 feet wide constructed of brick and roofed with shingles. A little house 11 feet long by 8 feet wide, roofed and enclosed with boards, and a toilet 12 feet long by 8 feet, roofed and enclosed with boards. Lot and improvements appraised at 500 pesos. Signed: Francisco Liotau, and Triere; attested before Juan B. Garic.

May 30, Nicolas Jourdan, public town crier, makes the first call for the public sale of the house seized by the foregoing decree. No bidders appeared, so this is set down as a matter of record.

May 26, Maria Voisin, widow by her first marriage of Isaac Guinault, and wife by her second of Alexandro Reboul, sets forth in the executory proceedings brought against her husband by Juan (Claudio) Triere, a writ of seizure has been issued in the latter's favor; for this action she must demand her dowry and the part of her community property belonging to her first marriage, so she opposes the seizure in due form and in consideration of which she prays to be constituted the opponent (*haver me por opuesta*) and to deliver the records to her to enforce her petition. She adds a second plea to appoint Leonardo Mazange as her attorney to represent her in the prosecution of this cause. The Court decrees the first request sent to Triere and the second "as it is prayed."

May 27, Claudio Triere answers, saying that Mrs. Reboul's presentations are without foundation and prays to have her case rejected and to condemn her to pay the costs she has caused. This is sent to Mrs. Voisin-Guinault-Reboul who, on May 28, answers, stating that all the property, negroes, plantation and house belong to her. This she can prove, and can also prove the insolvency of her husband. She therefore prays to exclude the plaintiff from all recourse against her property, to condemn him to pay costs and to have her made defendant.

May 31, Claudio Triere declares in answer to Mrs. Reboul's petition that the objections raised by her in suspending the judgment make a confusion of costs. Clearly she has no right to reclaim against the embargo issued against her husband. He prays that her pretensions be excluded as badly founded and that she be condemned to pay the costs she has occasioned. On Odoardo's advice Unzaga decrees that this cause must go on trial within eight common days, in which time witnesses must be called to qualify and to give the necessary evidence.

November 12, 1774, Triere signs to the effect that he has received from Mr. Reboul an order for 123 piastres drawn on Mr. de Villiers, Commander, due on two notes. The originals are herewith returned to him. The expenses for the proceedings are included in the payment. Signed: Triere. The record ends here.

1770—October 16.
Juan Raguet vs.
Martin de Fontenelle.
 10826. 99009-99040. 18 pp.
 Court of Governor Unzaga.
 Assessor, Cecilio Odoardo.
 Escribano, Juan B. Garic.

To collect payment for a negro.

Plaintiff, Mazange, attorney, presents a note dated July 23, 1762, for 9386 livres, 13 sols, signed by the defendant, due for the purchase of a negro and some merchandise. He prays Mr. de Fontenelle be summoned to verify and pay his debt. The request is granted. On October 19, 1770, he signs his acknowledgment of the note and signature, and on

the same day Santiago Hallays certifies that he went to Mr. de Fontenelle's plantation, where he presented him with the note which he acknowledged, but added that although he owed the money he had nothing wherewith to pay.

A lapse of nearly two and a half years and, on February 20, 1773, Andres Almonester signs a certified copy of an act dated October 19, 1770, by which Francisco (Juan) Raguet appoints Francisco Broutin to represent him as attorney in any and all proceedings which he may bring or that may be brought against him.

March 17, 1773, Francisco Raguet, through his attorney, Francisco Broutin, sets forth that in the suit already begun in this Tribunal there was a ruling by Unzaga ordering the defendant to verify a debt for the purchase of a negro named Vaillant, which he did, but the declaration was not in conformity to law. (Note: The oath and verification was made before the deputy sheriff instead of the escribano. See Ruling November 19, 1770, in suit Triere vs. Reboul.—L.L.P.) He prays that Fontenelle again be summoned to acknowledge the obligation in due and proper form. Petition granted, but as defendant lives on his plantation a writ of summons is necessary to bring him to the city to make the required declaration. May 6, 1773, Martin de Fontenelle in the presence of Juan B. Garic under oath states that the signature to the note is his but the note itself was not written by him. He acknowledges he owes the amount stipulated but it is not for the negro mentioned. Vaillant was bought with the proceeds from the sale of a negress belonging to his wife whom he sold to Joseph Petit.

May 6, 1773, Raguet prays for a writ of execution for the full amount of the debt, its one-tenth and costs, since Fontenelle has acknowledged it. Unzaga on Odoardo's advice, orders the debt paid within three days with a warning of judicial compulsion.

May 10, plaintiff pleads for citation as the debt has not been paid within the specified time; he also asks that a copy of the foregoing decree be sent to the defendant. The Court orders the writ issued with an enclosure of the foregoing decree, which must be delivered to Mr. Fontenelle by a competent person, citing to come and contest the demand either in person or through procuration, with a warning to stop prejudice (*de pararle perjuicio*). The writ is issued and given to Pedro Bertonniere for delivery, in what capacity acting the record does not state, but he is a competent person (*cualquiera persona habil*) who certifies, on May 13, that he went to Mr. de Fontenelle's plantation where he notified him in person of the foregoing decree.

June 8, 1773, Raguet states that an order for payment (*precepto de pago*) has been issued in his favor for 9000 paper livres of this colony reduced by order of the king to 1800 pesos, with a warning of judicial compulsion. The decree of May 10 has not been obeyed and though the defendant has come to the city he has maliciously returned to his plantation without answering petitioner's demand or leaving his procuration with any one. On June 9, Unzaga on Odoardo's advice, rules: Whereas, notify the creditor; let him use his right justly (*duly*); 10 reales assessor's fees.

(Vistos: hagase saver a el acreedor use de su dro. debidam^{te}. ases^a. dies rrs. Unzaga. Dor. Odoardo.)

June 11, Raguet reiterates his plea for execution. The Court orders the writ issued but the case is evidently settled out of Court, for this ruling is followed by the taxation of costs for 37 pesos, 1 real. Dated October 10, 1773.

1770—October 19.

**Bertran Dupuy vs.
Mr. Veillon.**

No. 4023. 3 pp.

Court of Governor Unzaga.

Assessor—None named.

Escribano, Juan B. Garic.

To collect a bill for tuition.

in His Majesty's Naval Arsenal (Almacen), at 2 pesos a month, his pupil came to his house three consecutive months for lessons, and then discontinued. Altogether eight months have now passed and he has been unable to collect the tuition. He prays that the debt be ordered paid. Unzaga rules that the debt must be paid within three days, as the plaintiff is a privileged creditor and the debt is a debt of gratitude.

November 5, 1770, plaintiff presents a second petition stating that by "His Lordship's" decree the defendant was ordered to pay 6 pesos within three days. The specified time has elapsed but still he does not obey. He prays that the debt be ordered paid within a short space of time with a warning of judicial compulsion. Unzaga rules that Mr. Veillon must pay within one day and when this time has passed, if he has not done so, apprehend one of his slaves or his person, and put the slave in prison, and his person in the body of the principal guard. Taxation of costs 3 pesos, 4 reales. Written on the back of this taxation is "Received from Don Juan Bapt^a. Garic, Escribano, the account of the appraisers, New Orleans, November 5, 1770. (Signed) Juan B^a Veillon.

October 18.

**Triere (Claudio) vs.
Cofigny.**

No. 4106. 4 pp.

Court of Governor Unzaga.

Assessor, Cecilio Odoardo.

Escribano, Juan B. Garic.

To collect a debt.

is ordered sent to the defendant. On December 6, plaintiff states that his opponent has not answered his last petition within the time required so he reiterates his plea for the original

No attorney's name is mentioned but one was employed to conduct the case, as he receives a fee of 10 reales (10 reals), five for each petition in the table of taxation of costs.

Bertran Dupuy sets forth that having obligated himself to teach arithmetic to the eldest son of Mr. Bellon (Veillon), employed

Plaintiff claims 106 livres, 5 sols, due on defendant's note and prays that he be summoned to acknowledge same. Unzaga grants the request, and on the same day Cofigny verifies the debt. December 3, Triere asks the return of his notes, permission to discontinue proceedings and for taxation of costs. This

note and that costs be taxed and paid by Cofigny. Unzaga, on Odoardo's advice, rules: Regarding (the foregoing petition), inform the present escribano of Cofigny's acceptance of the judicial finding for the payment of costs, as it is prayed, with an inclusion of 10 reales assessor's fees, and let the taxation be entrusted to the present escribano. Paraphed by Unzaga and Odoardo. Taxation of costs at 5 pesos, 7 reales. December 7, 1770.

1770—October 19.

Procuration.

Armand in favor of Desprez.

No. 10788.

pp. 97254-97255.

On August 22, 1770, at Pointe Coupee, Joseph Marie Armant appeared before the Commander of that Post, Mr. A. Allain, to declare before witnesses that he ratified the procuration formerly granted empowering Henry Desprez, a procurator at the Cabildo, to act as his attorney and agent in New Orleans, to represent his interests in any suit brought for or against him, and to attend to any and all of his affairs in that city.

(Note: This act is deposited with the Clerk of the Cabildo October 19, 1770.)

October 22.

Widow Piquery

vs. Mr. Populus.

No. 4090. 4 pp.

Court of Alcalde Trudeau.

Assessor—None named.

Escribano, Juan B. Garic.

To collect a bill for flour.

Plaintiff claims a debt of 176 livres, 6 deniers, due for flour and the boiling or cooking of it (por harina y coccadura de ella). He prays that the defendant be summoned to verify the debt and the originals returned to him to take the necessary proceedings. Petition granted and on the same day Mr. Populus, Sr., acknowledges

the debt. On November 15, Mrs. Piquery prays for a writ of execution for the amount of the debt, its one-tenth and costs. This petition is sent to the Assessor General. Nothing further is done, however, until December 4, 1771, when Juan B. Garic in the form of a petition sets forth that by a "Concordat" all suits against Louis Populus have been suspended and he has been granted an extension of five years to meet his obligations. Therefore the suit brought against him by Mrs. Piquery must be withdrawn. He prays that a taxation of costs for same be made and paid by Leonardo Mazange, syndic for the creditors from the various rents due the said Populus and that costs be taxed. Trudeau rules: "As it is prayed." Costs taxed at 5 pesos, 4 reales.

1770—October 22.

Juan B. Pomét vs.

Mr. Blaignac.

No. 4091. 7 pp.

Court of Alcalde Trudeau.

Assessor—None mentioned.

Escribano, Juan B. Garic.

To collect a note for security.

(Vale de garantia.)

King of France, belonging to Mr. Blaignac. He prays Alcalde Trudeau to order the debt paid within a short space of time. This is sent to Juan Carolo Tizoneaux, who answers (date not given) through his attorney, Henrique Desprez, saying that the suit brought against him by Mr. Pomét demanding that he pay a debt of 460 livres which he says Mr. Blaignac owes him has no place in justice. His petition is absurd and worthless. In the first place he has no funds belonging to Blaignac; secondly, before taking recourse against Blaignac because of his bond it was necessary to prove that proceedings were taken against Mr. Foucault, who ought to pay the said note. The said Blaignac promised to pay when Mr. Gachon would be ready to leave this colony on his ship. It happens that the said Gachon has been away from this colony since February 6, 1769, without Pomét taking action against Foucault, who can not and should not pay now. He prays that Pomét's suit against him and against Blaignac be excluded. There is no ruling to this petition, and on December 7, 1770, Tizoneaux states that "Mr. Pomét does not wish to prosecute the suit he has begun because in truth he has no case." He prays for a taxation of costs by the present escribano, the same to be paid by Mr. Pomét. Trudeau orders this sent to the defendant.

December 22, 1770, Juan B. Pomét answers the foregoing, saying: "The plaintiff, having divined my intentions, I wish in consequence to discontinue this lawsuit, paying costs." He therefore prays that his original notes on pages 1 and 2 be returned to him and a taxation of costs made. Trudeau rules: "As it is prayed." Costs taxed at 5 pesos, 2 reales.

Plaintiff, through his attorney, Mazange, says that the defendant owes him 460 livres according to his note of security for Mr. Foucault, who has not enough funds in the hands of the syndic for his estate to meet his obligations. Messrs. Blaignac and Foucault are both absent from the city but the former has property in the hands of Mr. Tizoneaux, an official in the treasury of the

1770—October 22.

Mr. Voisin vs.

Mr. Forstall.

No. 4125. 42 pp.

Courts of Alcaldes Trudeau,
Chabert and Le Chv. de
Villiers.

Assessor, Cecilio Odoardo.
Escribano, Juan B. Garic.

To collect various bills
and accounts.

day the defendant under oath declares that the notes and accounts attached are signed by him but he does not owe the debt and will prove it by presenting an account he had with Mr. Guinault, and another with Mr. Reboul now the widow Guinault's husband.

November 15, Alexandro Voisin states that since Mr. Forstall has acknowledged his debt he prays for a writ of execution against his estate to the extent of the debt, its one-tenth and costs. The account the defendant has with Mr. Reboul has nothing to do with this affair. This is sent to the Assessor General and on November 19, Trudeau on Odoardo's advice, rules: That Nicolas Forstall must be notified that within three days he must put himself in accord (*se ponga de acuerdo con*) with Alexandro Voisin upon the 315 livres which he has demanded. Assessor's fees 10 reales.

December 3, Nicolas Forstall contests the suit, presenting a number of notes, bills and accounts, declaring in answer to the Court's decree of November 19, that neither Mr. Voisin as Curator, nor Mr. Reboul as having married the widow Guinault, can deny that the said succession owes him 929 livres, 1 sol. If the said gentlemen had wished to examine his accounts they would have seen that the succession was in debt to him, over and above what Reboul also owes him, in which case Mr. Voisin should not have entered suit in this Tribunal. His claim is easily proven by the accounts attached, Mr. Guinault's notes, and the accounts he has paid for him, and also for Mr. Reboul. He prays that after the verification of what he has offered as a plea, a compensation (*compensacion*) of the account he has made with that of Mr. Guinault and that Mr. Reboul be ordered to pay him 929 livres, 1 sol. Trudeau sends this to Voisin.

May 8, 1771, Alexandro Voisin answers the foregoing by accepting some of Forstall's claims and repudiating others, reiterating his plea for 315 livres, 9 sols, and asks that the debt be paid within a short space of time. Alcalde Chabert into whose Court this case has passed, orders this sent to For-

Alexandro Voisin as curator to the Guinault minors, his nephews and nieces, states that Mr. Forstall (Nicolas) owes him a debt of 315 livres, 1 sol, as appears from the notes and accounts he presents. He prays that he be cited to verify his obligations. Petition granted. (In an order on Mr. Guinault for 4 pounds of powder the word *Picayune* appears in the form of "*Picaillons*." Signed: Forstall.) On the same

stall, who answers on August 1, 1771, saying it is easy to refute all the plaintiff has said in his petition which was delivered to him. He can prove all he has claimed in his previous plea, and asks that his prayer made therein be granted. Chabert sends this to the Assessor General under whose advice, on August 3, there is a ruling: to let this case go on trial within five common days in which time both parties must cite witnesses who must take oath and give the necessary evidence. Signed: Chabert and Dor. Odoardo.

Witnesses apparently are never called, nor is an interrogatorio ever propounded, if so, none is filed with the record. On September 16, 1771, Alexandro Reboul appears in the role of plaintiff in place of his brother-in-law, Alexandro Voisin, who prays for a publication of the proofs as the time required has passed, and that those of the other party be delivered to him. This is sent to Forstall, who answers on September 23, saying that the escribano has not communicated to him the documents (autos) to make his proofs, although he has asked for them many times. He asks that no injury come to him from Mr. Reboul's petition and that he be conceded 20 days more time as he has much evidence to give in his own favor. This is sent to Odoardo, on whose advice it is sent to Reboul, who on February 19, 1772, answers, declining to concede an extension of time and that the Court order a publication of proofs to be delivered to both parties so that their claims may be declared as well proven (alegar de bien provado [probado]). This is sent to the Assessor General under whose advice Chevalier de Villiers rules: "The time allowed for producing evidence has passed. Let a publication of the proofs be made, adding them to the proceedings which the parties have produced, and let them be delivered to Reboul so as to affirm them as well proven. Assessor's fees. Signed: La Ch. de Villiers and Dor. Odoardo.

The record ends here. Across the front page is written: "The costs not paid."

1770—October 22.
Alexandro Reboul vs.
Mr. de la Place (Joseph).
 No. 4102. 5 pp.
 Court of Alcalde Trudeau.
 Assessor—None named.
 Escribano, Juan B. Garic.

To collect a debt.

Plaintiff presents two notes and a bill and claims defendant owes him 901 livres, 10 sols, and prays he be summoned to verify the debt. Petition granted. On September 28, 1771, Joseph de la Place in the presence of the escribano (Juan B. Garic), under oath declares upon examination of the accounts and notes presented that he owes the note of

March 21, 1761, for 200 livres in paper money of the colony which makes 10 pesos in silver, and also that he owes the first

article on the account for 400 livres for which he has given a note to pay in logs and lumber which the plaintiff should present because he has already paid the debt by supplying the said wood. This amount was paid in the place of what he (de la Place) owed the Guinault inheritance. The said succession owes him a greater amount according to an account which he will present in his time. With regard to the remainder referred to in the account these are articles which concern Mrs. de Verges. As to the rest he says that this account which they claim is not the one found when the inventory was made of the property of the deceased Isaac Guinault because in this one the last four written lines are in the hand of the defendant and only the wood and what Mrs. de Verges owes was entered by the deceased. But this account is genuine and would have been settled had the deceased not fallen ill. Thus it will appear that the inheritance owes him instead of his owing the Guinault estate. Signed: de la Place.

The record ends here.

1770—October 22.

Juan Pomet vs.

Francisco Caminada.

No. 3957. 14 pp.

Courts of Alcaldes

Trudeau and Forstall.

Assessor, Cecilio Odoardo.

Escribano, Juan B. Garic.

To collect a debt.

Juan B. Pomet claims a debt of 330 livres, 2 sols, due on a note and prays Francisco Caminada be summoned to verify same. Petition granted and on the same day defendant acknowledges his debt. On November 6, plaintiff presents the notarial act by which he appoints Lenoardo Mazange to represent him and prays for a writ of execution to the extent of

the debt, its one-tenth and costs, as defendant has acknowledged his indebtedness. Trudeau orders Caminada to pay within five days with a warning of judicial compulsion. November 15, Pomet reiterates his plea for execution as the five days have passed and Caminada has not paid. This is sent to the Assessor General and on November 19, there is a ruling ordering the debt paid within three days.

November 24, the defendant paying no attention to the Court's decree, the plaintiff makes a third plea for execution. This is sent to Odoardo on whose advice Trudeau decrees: "Whereas, not paying within one day let him be compelled (imprisoned) with this decree. Assessor's fees 10 reales. Signed: Trudeau, Dor. Odoardo.

January 25, 1771, Hallays files his signed report before the escribano and witnesses to the effect that in virtue of the foregoing decree he demanded that Francisco Caminada give and pay Mr. Pomet 330 livres, and failing to do so he will be compelled (imprisoned) as this decree orders. To which end he could not pay the amount in cash so he asked Hallays to

receive six barrels of rum, two gold and two silver watches, and having seen the presentation of these to Pomet, who accepted what was offered, he (Hallays) took and placed them in the latter's possession, who signed in the presence of Francisco Goudeau, Luis Liotau and Nicolas Sarcie. To which the escribano attests.

May 11, Caminada petitions Nicolas Forstall, saying that the deputy sheriff in virtue of a decree of the Court required him to pay a certain sum and failing to do so would put him in prison. He could not pay, and in consequence gave instead six barrels of rum, two gold and two silver watches. He wishes very much to pay his debts and the effects which he has given can be disposed of for this purpose. He prays that they be ordered sold at public auction, he (for his part) expressly renouncing the public calls, so that the product from them pay for the just sale. Trudeau rules: "As it is prayed, and let the sale be entrusted to the Assessor."

The auction, dated May 22, 1771. Senor Don Cecilio Odoardo, lawyer of the Royal Audiencias of Santo Domingo, and Assessor General of the Government, commissioned for the present incident, in the customary place for public sales. The auction of the property remitted by Francisco Caminada took place in the presence of Leonardo Mazange, empowered by Juan B. Pomet, before the escribano. The call was made by the voice of Nicolas Jourdan, holding the office of crier. Many persons having assembled, the effects were offered to the highest bidder. The property sold brought 101 pesos, 6 sols. Signed: Dor. Odoardo and Leonardo Mazange.

May 25, Pomet signs a receipt having received from Juan B. Garic 66 pesos for the full amount of the note, from funds resulting from the foregoing auction. On the same day Francisco Caminada also signs a receipt for 6 reales, which are found remaining after Mr. Pomet is paid.

May 27, Juan B. Pomet prays that the Court order his debt (note) "mi deuda" returned to him and a taxation made of costs. Forstall on Odoardo's advice, rules: "As it is prayed, leaving a receipt which credits it."

May 25, entered out of chronological order, Juan B. Garic as Clerk of the Cabildo, in the form of a petition sets forth that in Alcalde de la Chaise's Court a suit was prosecuted "Solet vs. Caminada," the costs of which amounted to 11 pesos. Up to today he has not been able to collect this money. In the suit prosecuted by Juan Pomet against the same Caminada an auction sale was made of some effects. In consideration of which as the costs of Justice are privileged above all other debts, he prays that it be ordered that from the amount produced by the said auction sale they subtract the full amount of the said taxation of costs of the other case. Forstall rules: "As it is prayed, notifying Messrs. Pomet and Caminada. Taxation of costs at 24 pesos."

1770—October 22.

**Alexandro Reboul vs.
Widow Dubreuil.**

No. 4117. 9 pp.

Courts of Alcaldes

Trudeau and Forstall.

Assessor, Cecilio Odoardo.

Escribano, Juan B. Garic.

To collect a debt on notes
and accounts.

Alexandro Reboul, as curator to the Guinault minors, sets forth that Widow Dubreuil owes his minors 743 livres, 2 sols, in colonial money on two notes and an open account. He prays that she be ordered to verify the debt. Signed: Francisco Caminada, empowered by Alexandro Reboul and Leonardo Mazange. Petition granted. On November 23, the escribano certifies that he looked for Mrs. Felicite Dubreuil to notify her of the foregoing decree, but could not do so as she was absent on Mr. Amelot's plantation. On November 29, Francisco Caminada presents the notarial act by which he is empowered to represent the plaintiff and prays for a writ of citation summoning Mrs. Dubreuil to appear and acknowledge her debt. This petition is granted and the writ duly issued and served by Santiago Hallays citing Mrs. Dubreuil to appear within two days.

January 16, 1771, Reboul states that defendant has not obeyed the Court's decree although notified of it. He prays that the notes and accounts be held for acknowledgment and a writ of execution issued in his favor. Forstall sends this to Odoardo, who on January 26, 1771, rules that Mrs. Dubreuil must be notified to pay Alexandro Reboul within five days with warning of judicial compulsion. The record ends here. Across the cover is written: "Costs not paid."

October 22.

**Gaspard Pictet vs.
de la Barre (Francisco).**

No. 4087. 14 pp.

Courts of Alcaldes

Trudeau and Forstall.

Assessor, Cecilio Odoardo.

Escribano, Juan B. Garic.

To collect a debt.

Plaintiff presents a note and bill, claiming defendant owes him 304 livres, 16 sols, as a remainder on a debt, and prays that he be ordered to verify his signature and acknowledge the obligation. Petition granted. On November 27, Francisco de la Barre declares that he owes the note for 278 livres, 11 sols, but not the other articles charged to his account.

They were given to Mr. Marquis and therefore do not concern him. He will give his exceptions in writing before the same judge. Signed: de la Barre.

November 21, plaintiff through his agent, Francisco Caminada, prays for a writ of execution for the value of the note, its one-tenth and costs as de la Barre has acknowledged that he owes that amount, making a reservation for the items of the account which he claims he does not owe. This is sent to Odoardo on whose advice on November 23, the Court rules

that the debt must be paid within three days with a warning of judicial compulsion. The escribano was unable to notify de la Barre of this decree as he was on his plantation. This absence necessitates a writ of citation which was issued and on December 3, Santiago Hallays certifies that he delivered it in person.

January 10, 1771, Gaspardo Pictet, represented by his attorney, Leonardo Mazange, reiterates his plea for execution. On January 12, Forstall, on Odoardo's advice, orders the writ of execution issued, and on the same day Francisco Pascasio de la Barre presents a notarial act signed by Almonester y Roxas, by which he appoints Enrique Desprez to act as his attorney, who proceeds to answer, to-wit, that Francisco Pascasio de la Barre, formerly Captain of Cavalry, through his attorney, sets forth that the writ of execution petitioned for against him is not valid because the decree was obtained from a Judge incompetent to act, though he has the greatest reverence for the Alcaldes and full faith in the justice of their decisions, still as an ex-army officer, he has the right to demand that his suit be tried in the Governor General's Tribunal, and prays that this cause be assigned to Governor Unzaga's Court, and Pictet be taxed to pay costs of the present proceedings. Forstall orders this sent to Gaspardo Pictet with prejudice to the cause.

January 25, Pictet answers the foregoing, saying that the defendant's recusations (excuses) are not valid as he acknowledged his signature before the Alcalde's Court, so he reiterates his plea for a writ of execution. This is sent to Odoardo, and the Court rules: "Whereas, Let Don Pascasio de la Barre prove the statute law which he alleges with documents which authorize it within two days, and not having done so, let the mandate take its course. Assessor's fees 10 reales. Signed: Forstall and Dor. Odoardo." The writ which was ordered is issued. The record ends here. Across the front page is written: "The costs have not been paid, which Mr. La Barre owes."

1770—October 28.

Salmon Malline vs.

Mr. Berre (Verret).

No. 10627. 99041-99056.

Court of Governor Unzaga.

Assessor, Cecilio Odoardo.

Escribano, Juan B. Garic.

To collect a debt.

Plaintiff claims 121 livres, 17 sols, 3 deniers, from the defendant as appears from his account here attached. He prays that he be ordered to verify his signature so that the necessary steps may be taken to collect his just dues. The Court accepts the account and cites Mr. Verret, Sr., to acknowledge his obligation.

The Escribano is unable to notify him of the foregoing decree as he is at the "Acadienes," and will not return for many days. Owing to this absence, on November 5, Salomon Malline prays

for a despatch to be issued and sent to Luis Judice, Commander of that Post, so that he may notify the defendant and take his declaration. Governor Unzaga orders the despatch issued and sent including with it the original bill and a copy of these proceedings, the acknowledgment of the debt by Mr. Verret to be sent to the escribano of this Tribunal on the first occasion, the debtor to be represented herein either in person or by procurator to answer the demand with a warning that if he does not do so prejudice will follow.

Louis Judice, in the form of a letter dated "A Kabahanossée," December 4, 1770, states that his brother-in-law, Mr. Verret, acknowledges the debt and will go to the city to make the necessary arrangements with Mr. Salomon Malline.

A copy of the despatch dated November 8, is filed with this record and on December 11, Salomon Malline prays for a writ of execution against the person and estates of the defendant for the full extent of the debt, its one-tenth and costs as according to Commander Judice's letter he has acknowledged the debt. This is sent to Odoardo, who on December 14, orders the writ issued. The writ is filed but before the sheriff takes action upon it, on April 10, 1771, Salomon Malline states that he and Mr. Verret have arranged their affairs, and prays that the bill be returned to him, and a taxation of costs be made. Unzaga rules: "As it is prayed, let the taxation be committed to the present escribano. Costs taxed at 9 pesos, 4 reales."

1770—October 28.

Fournier and St. Pe vs.

Mr. Le Blanc.

No. 4035. 8 pp.

Courts of Alcaldes

Trudeau and Forstall.

Assessor, Cecilio Odoardo.

Escribano, Juan B. Garic:

To collect a note.

left the colony, but that she can not pay before two months as she has no money belonging either to her husband or herself. On November 15, because of Mrs. Le Blanc's acknowledgment of her debt, Luis Fournier prays for a writ of execution. Trudeau sends this to Odoardo. On January 10, the case having passed into Alcalde Forstall's Court, there is a ruling to notify Rosa Adam that she must pay her note within five days, otherwise execution will follow.

On March 5, 1771, plaintiffs state that the foregoing decree has not been obeyed; they therefore pray for execution. There is a secondary petition setting forth that Mrs. Le Blanc

Plaintiffs claim that defendant owes them 40 pesos, and pray that he be summoned to verify his note. Petition granted, and on the same day Rosa Adam, wife of Mr. Le Blanc, declares that the note attached was written by Mr. Saint Pé but signed by her and that she owes the amount specified, having answered for her husband when he

is about to sail with Captain Tosté on a ship belonging to Mr. Lafit (Lafitte); he asks that the Captain be ordered not to let her embark until it is certain that she has paid her debt. Forstall grants the first petition, the second is submitted to the Governor, asking that his secretary refuse to issue a license to Mrs. Le Blanc. On the same day Messrs. Fournier and Saint Pé ask that the note be returned, the case dismissed, and a taxation made of costs. Petition granted. Taxation of costs at 9 pesos, 5 reales. On the back of the taxation Leonardo Mazange signs a receipt for Mrs. Le Blanc's original note.

1770—October 29.

**Pedro Lapeyre vs.
Francisco Antonio Echave.**

No. 4052. 2 pp.

Court of Governor Unzaga.

Assessor—None mentioned.

Escribano, Juan B. Garic.

Garnishment proceedings
against a foreign debtor.

Pedro Lapeyre, former owner of the ship "Lamatin" or "La Mantin," sets forth that Francisco Antonio Echave, merchant of Vera Cruz, now owner of the aforesaid ship, owes him 37,000 livres with interest as will appear from the public instrument which he presents. Mr. Joseph Sanavie of this city, has charge of the adminis-

tration of the defendant's affairs here and is said to have in his possession money belonging to Echave. He prays that Sanavie be summoned to answer under oath the following questions:

First Q. Is it true that Mr. Echave chartered his ship called "La Mantin" (to Sanavie), in all or in part from the city of Vera Cruz to Campeché?

A. When the said Echave was loading to go to Campeché and while putting freight on board the "La Mantin" the witness was obligated by the King to come to this colony so he gave to Echave (for shipment) all freight he had for Campeché.

Second Q. To whom does the ship belong in which he came to this city?

A. The ship in which the witness came to this city belongs to Juan Pedro Hituralde.

Third Q. What sum of money has he in his hands belonging to Mr. Echave?

A. He has nothing and does not trade with Echave and consequently has no money belonging to him.

Fourth Q. What amount does his ship-owner owe Echave for chartering the ship called the "La Mantin" formerly belonging to the plaintiff, and now belonging to Echave, the said charter having been made from Vera Cruz to Campeché, and furthermore who should be called upon to make this payment?

A. He did not charter the ship belonging to Echave. It was from good will only that the cargo he had belonging to various private persons was transported on board the defend-

ant's ship when he, the witness, was unable to go to his destination when his own ship was chartered by the King to come here.

Fifth Q. Has he in his possession any merchandise belonging to the said Echave?

A. He has neither merchandise nor anything else belonging to Echave.

Sixth Q. Does he know of any other person in this city who owes, has money, merchandise, or any other effects belonging to Echave?

A. He does not know of any one here who owes or has any effects in his possession belonging to Echave.

Joseph Sanavie, having read his declaration, states under oath that he has told the truth, and signs before Juan B. Garic, Escribano.

The record ends here.

We have only a few Spanish Records for September, October and November, 1770. These documents were taken from a box marked "Baton Rouge State Library," and show indications of injury by fire and water. The chances are that the remainder of the records for those months perished in the fire that destroyed the Capitol in 1862. The records for 1770 to 1780 seem to have been the chief sufferers in that calamity; indeed, for some of these years we have practically no records.

L. L. P.

1770—November 6.

Alexandro Reboul vs.

Mr. Menard (Mesnard).

No. 4104. 6 pp.

Court of Alcalde Trudeau.

Assessor—None named.

Escribano, Juan B. Garic.

To collect a bill.

has conceded him until next November to settle his accounts. He asks that all proceedings be dropped and costs taxed by the Escribano. Petition granted. Costs taxed at 5 pesos on May 25, 1771.

Plaintiff presents three accounts and declares that Mr. Mesnard (first name not given), of Natchitoches, owes him 1275 livres, 19 sols, and prays that he be summoned to verify the debt. On the same day Mesnard acknowledges his obligation. May 25, 1771, Alexandro Reboul states that in order to assist the defendant he

1770—November 6.

Colin and Henry vs.

Carlos Fleuriau, Sheriff.

No. 4015. 10 pp.

Court of Governor Unzaga.

Assessor, Cecilio Odoardo.

Escribano, Juan B. Garic.

To collect a note.

Fleuriau is absent from the city, at the home of his stepfather, Mr. Villars. This absence necessitates a formal summons and Unzaga orders him to appear within three days, and on December 20, Fleuriau under oath verifies his note.

After rulings by the Court on two occasions fixing limits of time within which the debt must be paid, plaintiffs declare that defendant has made arrangements to pay his debt and ask the note to be returned to them and costs taxed. The Escribano taxes them at 13 pesos, 5 reales.

November 13.

Juan B. Garic vs.

Francisco Raguet.

No. 33. 18 pp.

Court of Governor Unzaga.

Assessor, Cecilio Odoardo.

Escribano,

Andres Almonester.

To collect several debts.

Colin and Henry, shoemakers, present defendant's original note for 72 piastres gourdes, dated February 14, 1770, and ask that he be summoned to acknowledge his debt, and that the note be returned to them to be used at their convenience. Petition granted. The Escribano was unable to deliver the foregoing order, as

Juan B. Garic presents a decree of the Superior Council, dated April 13, 1768, and avers that Francisco Raguet owes him 2170 livres on his notes of October 1, and December 14, 1767, and February 27, 1768, made in favor of a Company of Brick-Makers, which was a partnership formed by Timoleon Chateaubeaudeau, Nicolas Forstall and the plaintiff.

Upon the dissolution of the said partnership these notes fell to plaintiff's account. Mr. Chateaubeaudeau had several law suits with the defendant, as will appear from the decrees of the Superior Council, here included, in which a mandate of execution was issued April 13, 1768, still the debt remains uncollected. The petitioner has also tried to collect but without success. Today Francisco Demouy has entered suit against Francisco Raguet before him as Escribano (Clerk of the Cabildo), so he hereby recuses himself because he is one of the said Raguet's creditors. This recusation is not only to hold in that suit, but in all other suits brought by other creditors in the Governor General's Court. His place as Escribano to be taken by Don Andres Almonester. With the decree of the Superior Council already handed down, it will not be necessary for the defendant to verify his notes, and as execution has already been issued, plaintiff prays an embargo (seizure) be placed on defendant's movables, live stock, slaves and landed property to the extent of the debt, its one-tenth, and costs.

The Assessor General rules, and Unzaga decrees the debt must be paid within three days with a warning that if it is not, the writ of seizure already issued will be carried out.

Don Andres Almonester takes charge of the case as Escribano, acting in lieu of Garic, and certifies that on October 19, 1770, Francisco Raguét granted his procuration to, and appointed Francisco Broutin as his attorney to represent his interests in any and all suits brought for or against him.

Francisco Broutin appears and states he has been notified of the Court's decision ordering defendant to pay Juan B. Garic 2170 livres within three days. He prays the Court to revoke this decision and to deliver the records of the case to him so that the matter may be made clear. The Court orders the records delivered to Mr. Raguét for two days, in the customary manner.

November 22, defendant acknowledges receipt of the records and asks that the papers written in French be translated into Spanish by Jacinto Panis, and the translation delivered to him. Petition granted, Panis must first accept and take oath according to law. On the same day after qualifying the official interpreter makes a translation of the decrees of the Superior Council presented at the beginning of this suit.

August 11, 1772, Juan B. Garic says that he has come to an agreement with Francisco Raguét and prays for the return of his original notes, and for a taxation of costs to be made by the Escribano. This is sent to defendant and on September 1, Francisco Raguét declares that he has received plaintiff's petition and as they have come to an agreement, he asks the return of the notes to Garic and a taxation made of costs. The Court sends this to the Assessor General and on September 2, 1772, Governor General Unzaga, upon the advice of Doctor Odoardo, decrees that since it is convenient to both parties to discontinue the suit, let it be dismissed, and the documents returned to the plaintiff and the costs taxed and paid.

September 5, 1772, Juan B. Garic signs a receipt for the originals of Francisco Raguét's notes which he presented when he entered suit. There is no taxation of costs filed with the record.

Note: This is the first case in which an escribano other than Garic officiates. After 1770 there are two Clerks of the Cabildo, or notaries appointed to attend to the routine business of all the Tribunals of the city.—L. L. P.

1770—December 6.

Courtableau vs. Duvivier.

No. 4013. 5 pp.

Courts of Alcaldes

Trudeau and Forstall.

Assessor, Cecilio Odoardo.

Escribano, Juan B. Garic.

To collect a debt.

ant testifies that he owes the debt but it is impossible for him to pay, and he will do so when he can. It was agreed with Courtableau to take provisions in payment issued in Natchitoches for the amount of the debt; this he has done. Plaintiff now prays for execution, and the Court orders the debt paid within six days. The record ends here.

December 7.

Salomon Malline vs.

The Widow of Reboul.

No. 4058. 4 pp.

Court of Governor Unzaga.

Assessor, Cecilio Odoardo.

Escribano, Juan B. Garic.

To collect a debt.

besides, she holds her estate in community with her husband who will pay it. This ends the record.

December 7.

Salomon Malline vs.

Mr. Reboul.

No. 4060. 6 pp.

Court of Governor Unzaga.

Assessor, Cecilio Odoardo.

Escribano, Juan B. Garic.

To collect a debt.

other order is entered to same effect, and no further proceedings were had.

December 7.

Jacobo Carriere vs.

Mr. Dutisne.

No. 117. 3 pp.

Court of Governor Unzaga.

Assessor—None mentioned.

Escribano,

Andres Almonester.

For the return of an original note.

Santiago Courtableau presents a certified copy of the act by which he appoints Leonardo Mazange as his attorney to represent his interests in all law suits or any other business affairs which might require legal advice. Through the said attorney he now takes action to collect a debt of 49 pesos. On the same day defend-

ant testifies that he owes the debt but it is impossible for him to pay, and he will do so when he can. It was agreed with Courtableau to take provisions in payment issued in Natchitoches for the amount of the debt; this he has done. Plaintiff now prays for execution, and the Court orders the debt paid within six days. The record ends here.

Plaintiff presents a bill of 264 livres, 17 sols, 6 deniers, against the Widow Guinault, now the wife of Reboul. December 22, Maria Luisa Voisin, widow by her first marriage of (Isaac) Guinault, and wife by her second of (Alexandro) Reboul, testifies that the debt may be hers but she does not remember it, and

Suit upon account for 795 livres, 10 sols, dated January 29, 1770. The Escribano certifies the defendant is absent from the city on his plantation. whereupon Unzaga orders Reboul to appear within five days. Santiago Hallays, deputy sheriff, certifies he served the writ in person. An-

other order is entered to same effect, and no further proceedings were had.

Santiago Carriere pleads that he has paid his note for 100 piastres held by defendant, and prays the original "obligation" be returned to him. Juan B. Garic, Escribano, certifies he has looked in the archives in his charge and has not been able to find the instrument, and has no recollection of having had it in his possession. The record ends here.

1770—December 12.

Inventory and Partition of the Estate of the Widow Gerardy.

No. 3977. 25 pp.

Court of Alcalde

Nicolas Forstall.

Assessor, Cecilio Odoardo.

Escribano, Juan B. Garic.

Charles Lorraine, called Tarascon, states that his mother-in-law, the Widow Gerardy, died December 8, leaving her estate in his charge. He prays that an inventory be made and all interested heirs be notified to assemble for that purpose. Alcalde Forstall orders the inventory made in the presence of the heirs,

who will be summoned for this purpose. The Court appoints the said Tarascon as guardian of the estate of the deceased to be held together at the disposition of this Tribunal. The inventory is made in the presence of Charles Lorraine Tarascon, Claudio Boutte, Jacques Lorraine, Widow Desruisseaux, Marie Louise Gerardy, wife of Charles (Lorraine) Tarascon, Duverney, with Esteban de Quiñones, Luis Liotau, and Francisco Goudeau as witnesses.

February 4, 1771, Charles Lorraine Tarascon for his wife, Marie Louise Gerardy, and as tutor to the minor children of his deceased brothers-in-law, Pablo Barré and Luis Duvernet or Duverney, Rosa Gerardy and Francisca Gerardy, widow of Desruisseau, heirs of the deceased Widow Gerardy, petition saying that now that the inventory has been made they ask to have it appraised and that Claudio Boutte and Santiago (Jacques) Lorraine be appointed appraisers. Granted. Appraisalment:

Amount of the estate.....	492 pesos, 5 reales
“ “ “ debts	283 “ 6 “
Difference	268 “ 7 “

February 5, the estate having been appraised the Court orders it sold at public auction by Nicolas Jourdan, town crier. The sale is made and on February 20, Charles Tarascon presents his account and sworn statement of the estate, which is approved.

February 26, partition between the heirs at law of the Widow Gerardy, viz: Charles Tarascon, legitimate husband of Marie Louise Gerardy; Louis Duverney, husband of Rose Gerardy, and Francisca Gerardy, widow of Joseph Desruisseaux, all three daughters of Joseph Gerardy and Marie Juana Henry. The said Charles Tarascon also represents, as curator ad bono, the minors, Juan Bautista and Honorato Barre, through their inheritance from Maria Juana Gerardy, legitimate wife of the deceased Pablo Barre, their grandparents. Eugenio Barre, their father, having also died, who was the son of Maria Juana Gerardy and Pablo Barré. Cecilia and Carlotta Barre, absent, are represented by Andres Reynaud. Louisa Barré and Carlos Barre in their absence are represented by Carlos Tarascon,

and are the grandchildren and great grandchildren of the deceased Maria Juana Henry (Mrs. Gerardy). All heirs declare themselves satisfied with the above partition.

Costs taxed, 33 pesos, 1 real.

1770—December 14.

Mr. Pomet vs. Mr. Chaperon.

No. 4088. 5 pp.

Court of Governor Unzaga.

Assessor—None mentioned.

Escribano, Juan B. Garic.

For debt.

dismissal of the case and taxation of costs. Same taxed at 5 pesos, 2 reales.

Juan B. Pomet states that Mr. Chaperon (Chapron) owes him 393 livres, 13 sols, remainder of a debt for 2793 livres, 13 sols. He prays that he be summoned to acknowledge his indebtedness. After the usual orders and delays, December 20, Pomet asks for the return of his original note,

December 17.

Georges and Diard vs.

Mr. Bonrepos and Pichard.

No. 4039. 12 pp.

Court of Governor Unzaga.

Assessor, Cecilio Odoardo.

Escribano, Juan B. Garic.

Garnishment proceedings upon a judgment.

Plaintiffs present the proceedings in Governor O'Reilly's Court more than a year before upon a debt of 340 livres, which has been due since October 7, 1769, and was ordered paid by decree of His Excellency dated November 6, 1769. The Chevalier de Bonrepos declared on November 28, 1769, he had no property belonging to Mr. Pichard to remit

in obedience to Governor O'Reilly's decree. They further present an interrogatorio which they petition to have answered by Messrs. Juan B. Poeyfarré, Juan Duvivier and Joseph Pavie. The questions are as follows:

- 1st. If they know whether or not Roujot, resident of Nat-chitoches, has or did have any money belonging to Mr. Pichard?
- 2nd. If they know to whom this money has been remitted?
- 3rd. If they know whether or not Mr. Roujot is entrusted with the disbursement of the funds due Mr. Pichard?
- 4th. If they know whether or not the above said gentleman has in his possession the notes and accounts drawn up in favor of the said Pichard by various persons?

The three above named witnesses answer under oath that they know nothing of the matter treated in the questions put to them.

January 11, 1771, plaintiffs ask that Mr. de Bonrepos be questioned under oath if he has received any effects such as

tobacco, rice or money from Mr. Roujot or any other debtor of Mr. Pichard, now absent from the Colony, or if he knows whether or not Mr. Roujot was entrusted with the active debts and other business transactions of the said Pichard. Luis de Bonrepos is summoned by order of Governor General Unzaga, and under oath gives his testimony. He declares that Mr. Pichard owed him a considerable amount on various loans he had made him, both in money and commodities required for his business. A long time has passed since Pichard should have paid him, so he took occasion to call his attention to his bad conduct and to ask for an accounting of what he had done with the effects which should have been sold. He said his books were in Natchitoches and his affairs entrusted to Mr. Barron, but when the witness went to that place he could find no books, and all that was due Pichard by accounts was turned over by the said Barron to Mr. Roujot who was only able to collect 48 pesos in tobacco; this was given to the witness and is the balance which he has received from Roujot and Pichard.

January 21, 1771, plaintiffs set forth that as Mr. Roujot, resident of Natchitoches, is empowered to collect Mr. Pichard's active debts, as appears from Mr. de Bonrepos' declaration, they pray for a mandate of execution to be issued and sent to the Commander of that place authorizing him to collect their debt. This is sent to the Assessor General and under his advice on January 26, the Court rules: That a despatch be issued and a copy made of these proceedings which will be sent to the Commander of the Post of Natchitoches, Don Atanacio de Heneres, authorizing him to collect the debt. The despatch is issued and sent. Costs taxed at 13 pesos, 4 reales.

May 18, 1771, Georges and Diard pray for another despatch to be issued and sent to the Commander of the Post of Natchitoches as the first was lost on the road. Unzaga rules: "As it is prayed." No other proceedings.

1770—December 19.

Mr. Caminada vs.

Mr. Duvivier.

No. 4014. 4 pp.

Court of Governor Unzaga.

Assessor—None named.

Escribano, Juan B. Garic.

Injunction to prevent debtor from leaving without paying his debt.

leave the city until he has settled his debt. Unzaga rules defendant must not leave until he has paid his accounts.

Francisco Caminada claims defendant owes him on various notes 706 pounds of tobacco valued "today" at 10 sols a pound, and 5 quarters and a half of rice at 4 pesos each, besides money amounting to 431 livres, 17 sols, 6 deniers, totaling 894 livres, 17 sols, 6 deniers. Mr. Duvivier intends going to Natchitoches but does not wish to pay. Plaintiff prays that he be forbidden to

December 24, the plaintiff says that the defendant does not wish to settle with his creditors. Since he has already obtained a decree of execution against him for another debt he prays that this debt be ordered paid within a short space of time. Petition granted. January 7, 1771, Caminada prays for the return of his original notes and accounts, a dismissal of the case, and a taxation of costs. Costs taxed at 4 pesos, 4 reales.

1770—December 19.

Courtableau vs.

Carlos Lebau.

No. 4016. 4 pp.

Court of Governor Unzaga.

Assessor, Cecilio Odoardo.

Escribano, Juan B. Garic.

Suit in New Orleans to collect debt due by resident of Opelousas.

Fuselier de la Claire, Commander of the Post of Opelousas, empowering him to collect the debt.

Santiago or Louis Courtableau states that Charles Labeau, called Sans Souci, owes him 1000 pesos for merchandise, and presents his bill for same. He prays for a despatch to be issued and sent to the Commander of the Post of Opelousas authorizing him to collect the debt, as the defendant lives there. Unzaga orders the despatch issued and sent with an enclosure of these proceedings to

December 19.

Mr. Beauregard vs.

Mr. Chalon.

No. 4004. 18 pp.

Court of Governor Unzaga.

Assessor, Cecilio Odoardo.

Escribano, Juan B. Garic.

To collect a debt in indigo.

plements to Mr. Joseph Chalon and his wife, Marie Elizabeth des Ruisseaux (Desruisseaux) for 3000 livres in piastres gourdées to be paid by Madame, the Widow Desruisseaux, with 2000 weight (deux milliers) of indigo of good quality. On the strength of this document plaintiff claims the defendant owes his client this debt. The time of payment has passed and he has not been able to collect so he prays for a writ of seizure to the extent of the debt, its one-tenth and costs. Unzaga orders Chalon notified so that he may answer this petition. The Escribano was unable to do so, as Chalon is absent from the city on his plantation. This absence necessitates an order of citation which is asked for by plaintiff. The Court orders the writ issued summoning Chalon to appear within four days. January 9, 1771, Santiago Hallays certifies that he delivered this in person.

Toutant Beauregard, empowered to act for Francisco Desmazellieres, through Attorney Leonardo Mazange, presents a certified copy of an act of sale by which Francois Dussiau de la Croix de Mazelliers (Desmazellieres) transfers a plantation 18 arpents wide by 80 arpents deep, 20

slaves, and all utensils and im-

February 12, Beauregard states that though Chalon was summoned to appear within four days he has not done so. He therefore prays for an order of execution. This is sent to the Assessor General under whose advice there is a ruling that Chalon must come to an agreement with the plaintiff within three days.

June 25, Francisco des Mazellieres takes the case out of his agent's hands and through his attorney sets forth that the Escribano has been unable to notify the defendant of the foregoing decree so he prays for a second order of citation. This is issued, and Hallays certifies to its delivery in person.

July 5, plaintiff complains that though defendant was ordered to pay within three days he has not done so. It is therefore necessary to reiterate his plea for execution. On Odoardo's advice, Unzaga orders this issued and entrusted to the Sheriff or his deputy to be carried into effect.

October 9, Hallays reports to the Escribano that pursuant to the order of seizure he went to Joseph Chalon's house where he asked him to pay his debt in indigo; this he did not wish to do. He then asked him to produce some property so that he might carry out the Court's decree; this he does not wish to do, either. So he examined the plantation and placed an embargo (seizure) on several barrels of indigo weighing 785 pounds, which he put in the care of the General Receiver. The foregoing statement is signed by Santiago Hallays, Deputy Sheriff; Joseph Ducros, General Receiver, and Juan B. Garic, Escribano.

February 25, 1772, Francisco Desmazellieres petitions for a return of the original act of sale, and a taxation of costs to be paid by the defendant. This is sent to Chalon who answers on February, consenting to pay costs. February 27, the Court sends this to the Assessor General, under whose advice the following judgment is rendered: "With the consent of the two litigants the suit is cancelled. Let the original documents be returned to the plaintiff, the defendant to pay costs." Costs taxed at 46 pesos.

1770—December 19.

Mr. Pore vs.

Mr. Dejardin.

No. 4070. 17 pp.

Court of Governor Unzaga.

Assessor, Cecilio Odoardo.

Escribano, Juan B. Garic.

The delays of the law
illustrated.

together with the original note, claiming the defendant owes him 354 livres, 2 sols, 6 deniers. He prays for an order of

Thomas Poré, tutor to the Caze-
lar minors, sets forth that in the
executory proceedings prosecut-
ed against Charles Baroid or Bar-
roi, called des Jardines or De-
jardin, he has already obtained
a judgment from Captain Gen-
eral O'Reilly, dated October 23,
1769, confirming two decrees of
condemnation granted by the
Court in 1768. These he presents

execution against his person and estates to the extent of the debt, its one-tenth and costs. Unzaga orders Des Jardins notified of this petition. The Escribano is unable to deliver the Court's order as he is absent. This necessitates a citation, which is prayed for on January 11, 1771. This is issued, summoning him to appear within three days, Hallays certifying to its personal delivery.

On April 8, plaintiff states that the defendant has not obeyed the Court's decree and asks that he be ordered to pay immediately, with a warning of judicial compulsion. This is sent to the Assessor General, who orders the debt paid within four days. Owing to the defendant's absence the Escribano could not notify him of the foregoing decree. This necessitates a plea for a second citation, which is issued June 6, 1771, and duly served by Hallays.

September 11, plaintiff reiterates his petition for execution as the defendant has not obeyed the Court's decree. September 14, the writ is issued and entrusted to Nicolas Fromentin, Deputy Sheriff, to be carried into effect.

April 28, 1772, Nicolas Fromentin notifies the Escribano in the presence of Louis Liotau, Carlos Poré and Francisco Caminada, witnesses, that he went to defendant's plantation to put the writ of seizure into execution, where Desjardins offered to pay, saying he was coming to the city to make a settlement.

August 26, Carlos Barroi, called Desjardins, sets forth that he owes the debt to the Cazelar estate but has no money with which to pay it; however, he has a large quantity of wood on the river bank. He petitions to be allowed to settle his debt with this commodity which he promises to ship by the first boat to arrive. He further asks to be relieved of paying costs. This is sent to plaintiff who answers on August 27, saying that he will not consent to the payment of costs and prays that the defendant be made to assume them. This is sent to the Assessor General, under whose advice Unzaga rules that the costs must be paid by the plaintiff who may reserve to himself the right to demand this amount when it may seem to him opportune. A taxation of costs must be made. Costs taxed at 25 pesos, 2 reales.

Note: With this record is a loose leaf with the first rough draft of the calculations for the costs of the case.—L. L. P.

1770—December 20.

Maturin Dreux vs. Geronimo Matuliche.

No. 4029. 257 pp.

Court of Governor Unzaga. Assessor, Cecilio Odoardo. Escribano, Juan B. Garic.

Foreclosure of mortgage.

and put up for sale at public auction. No bids are offered. At this point in the case Antonio Bienvenu enters. He is curator to his grandson, Juan Bautista Benoit or Benoist de Sant Clair, son of Maria Luisa Bienvenu, Mrs. de la Gautraise, by her first marriage to Mr. Benoist de Sant Clair, claiming the house for his minor.

July 19, 1771, Governor Unzaga orders the case to go on trial. Each of the three litigants presents his witnesses. March 5, 1772, Unzaga renders a final decision after reviewing the entire case. His sentence is as follows: Mr. Antonio Bienvenu's opposition is without place in this suit. The decree for the seizure and sale of the house must be carried into execution. The costs must be divided and paid by Messrs. Dreux and Bienvenu, the former paying for all proceedings from pages 1 to 23, the latter from page 24 to the end. Taxation of costs is made by Juan B. Garic, Maturin Dreux paying 120 pesos, 6 reales, and Antonio Bienvenu 245 pesos, 5 reales.

Note: The costs in this case seem to justify the historical view of the Spanish judicial administration, that litigation was costly, dilatory and ruinous. It seems inconceivable that a litigation involving 850 piastres gourdes could be saddled with costs for 365 pesos. The piastre gourde was coined money of the value of five paper livres, which makes the piastre gourde equal in gold to the Spanish pesos.—H. P. D.

December 22.

Monget Latime vs. Mr. Pery.

No. 4047. 12 pp.

Court of Governor Unzaga. Assessor, Cecilio Odoardo. Escribano, Juan B. Garic.

For debt.

Maturin Dreux petitions to foreclose a mortgage which he holds on real property on Royal Street, for 850 piastres gourdes, belonging to Geronimo Matuliche, which was acquired from Horpin de la Gothray (Gothrais or Gautrais), and his wife, Marie Louise Bienvenu. The Court orders the house seized by the Sheriff

that Mr. Pery owes him 184 livres on accounts and note.

After a month of delay plaintiff reports he has arranged his differences with Pery and asks for the return of his original notes and taxation of costs. Taxed at 13 pesos, 4 reales.

1770—December 31.

Beauregard vs. Maison.

No. 4000. 6 pp.

Court of Governor Unzaga.

Assessor, Cecilio Odoardo.

Escribano, Juan B. Garic.

To collect a bread bill.

He prays it be ordered paid without delay. Governor Unzaga decrees that this petition be sent to the syndic of Mr. Maison's creditors to be paid in its turn. On February 26, 1771, the plaintiff states that he is the holder of a note signed by Joseph Maison in favor of a baker (Roseve Judice) for 269 livres, for bread sold to the defendant; this note has been referred to the syndic of his creditors by decree of Unzaga dated December 22, 1769. He has asked Salomon Malline, syndic, on various occasions to pay him but he has always answered that he can not. This is a privileged debt because it is for bread. He prays Unzaga to order the note paid. This petition is sent to the syndic.

March 1, 1771, Salomon Malline, syndic, answers that Mr. Beauregard's claim is just and asks the Court to order it paid so that Mr. Beauregard's suit may be concluded. This is sent to the Assessor General, on whose advice on March 2, the syndic is ordered to pay the debt, Maison assuming the costs, which are taxed at 6 pesos, 5 reales.

December 31.

Alexandro Reboul vs.

"the named Corin."

No. 4099. 11 pp.

Court of Governor Unzaga.

Assessor, Cecilio Odoardo.

Escribano, Juan B. Garic.

To collect a bill.

also asks for a writ of citation. This is issued and on January 24, 1771, Santiago Hallays certifies to its personal service. February 4, 1771, Francisco (Juan) Corin, under oath, testifies to the correctness of the bill. On the strength of this acknowledgment, on March 12, the plaintiff prays for a writ of execution. This is sent to the Assessor General under whose advice, on March 16, Unzaga rules that Corin must pay his debt within five days. The Escribano was unable to deliver this notice as defendant was absent. This absence necessitates a writ of citation which is issued on March 20. On April 8, Santiago certifies to the delivery of the writ.

Santiago Toutant Beauregard presents a petition which was addressed to Governor Unzaga December 22, 1769, by which Rose or Roseve Judice says "he" holds Joseph Maison's note for 269 livres, dated November 3, last. This debt is for food (bread), which makes it a privileged one.

Alexandro Reboul, who has empowered Francisco Caminada to act as his agent through his attorney, Leonardo Mazange, presents a bill of 389 livres, 10 sols, and says Juan Corin, shoemaker of the German Coast, owes him this amount. He prays that he be ordered to verify the debt. As he does not live in the city, he

May 22, 1771, Alexandro Reboul reiterates his plea for a writ of execution. On Odoardo's advice Unzaga issues the writ on May 24. On June 5, Santiago Hallays in the presence of the Escribano, declares that in virtue of the foregoing writ he went to the German Coast where the defendant lives, and having found him, he demanded that the debt be paid or that he present sufficient property to be seized to cover the debt, its one-tenth and costs. The debtor was without property of any description except some tools, the value of which did not exceed 6 pesos, therefore he left the execution open until the occasion would offer itself to find other property to be seized. Signed: Santiago Hallays; attested before Juan B. Garic, Escribano. The record ends here.

Note: We shall occasionally give the full detail of these cases only to keep before the reader the formalities of the times.

1770—December 31.
Andres Renard petitions
the Governor and Captain
General O'Reilly, to collect
debt due by Mazan.

No. 10819.
pp. 97352-97354.

Andres Renard declares that 7907 livres, 7 sols, 8 deniers, are owed to him by Mr. Mazan (Massen), which is the remainder due on a debt of 20,000 livres, as will appear from the agreement joined to this petition (missing), which was executed before Mr. Garic, Clerk of the Superior Council, dated November

ber 13, 1763. When Mr. Mazan was arrested the petitioner had the honor to present the memorial here enclosed (missing) to His Excellency, Señor O'Reilly, in order to protect the mortgage and privileges which he, Renard, held upon Mr. Mazan's estate, which according to law can not be sold without the consent of all the mortgage holders. His Excellency answered that he would take up the matter in due time and issued a proclamation within the city for all creditors to make their declarations in Mr. Garic's office so as to have a record of Mr. Mazan's debts. The petitioner in obedience to this order, was one of the first to make his declaration, with the idea that his debt would be privileged. He has now determined to transfer this claim to Captain Lucas, and in order to end this transaction they must have access to all the data which has bearing on the case. He, Andres Renard, therefore petitions the Governor General to order Mr. Navarro, Treasurer, to let Mr. Lucas see the accounts in the liquidation of Mr. Mazan's affairs, and most particularly the amount which will come to the petitioner, so that he may transfer his rights in the matter and end the transaction. No action by the Court.

1771—January 7.
Hinard vs. Valliere.
 No. 3981. 14 pp.
 Court of Governor Unzaga.
 Assessor, Cecilio Odoardo.
 Escribano, Juan B. Garic.

A tenant asks leave to repair the fences at the expense of the landlord to be deducted from the rent.

that he, the petitioner, be permitted to do so, at his own expense, deducting these costs from the rent. Valliere answers on March 14, by presenting the lease dated June 3, 1768, by which Hinard agrees to pay 350 livres a year rent in two semi-annual payments and to keep the place in proper condition. In the three years he has held the real property he has not fulfilled his contract to keep in repair.

August 20, 1772, the defendant says that he and the plaintiff have come to an agreement on the repairs, but he owes 1400 livres which he does not wish to pay. He prays he be ordered to do so. September 2, 1772, Unzaga, on Odoardo's advice, rules that Hinard must pay the curator of the de Morand minors within three days. This order is ignored by the plaintiff and on March 10, 1773, Valliere prays for execution. On March 12 the Court orders the defendant to remodel his case. The record end here.

January 9.
"Incidentés." Joseph Marie
Armand vs. his Creditors.
 No. 131. 40 pp.
 Court of Governor Unzaga.
 Assessor, Cecilio Odoardo.
 Escribano,
 Andres Almonester.

Surrender of property to creditors.

due him. In order to avoid expenses he asks that his attorney, Enrique Desprez, be appointed to this office. The creditors are notified of this petition and ordered to name a collector to look after their interests. As Armand's property is in Pointe Coupee, the plaintiffs appoint Mr. Missonniere to that office. Armand's plantation, slaves and household furniture are seized and placed with Joseph Ducros, General Receiver. Costs taxed at 64 pesos, 3 reales, on September 20, 1771.

Juan Hinard, ship captain, sets forth that he rented six lots of ground with improvements, a house and kitchen, and since he has been in possession the fences have fallen into a state of disrepair. He has asked Mr. Joseph de Valliere, tutor to the de Morand minors, owners, to put them in order; this he has failed to do. He prays that he be condemned to make the necessary repairs or

The defendant presents an inventory of his property and states that some time before many notes and accounts belonging to him were seized for the benefit of his creditors, Juan Durand, George Baron, Salomon Malline and Andres Jung, and deposited with Joseph Ducros, General Receiver. He is "inclined" to pay what he owes and prays that a syndic be appointed to collect what is

Note: This is one of many suits filling the Court in 1771 brought either by the creditors of Joseph Marie Armand or else by Joseph Ducros, General Receiver, to adjust the conflicting claims for the seized property, or by Armand against his own debtors.—L. L. P.

1771—January 26.
Roussillon vs. Destrehan.
No. 3963. 13 pp.
Court of Governor Unzaga.
Assessor, Cecilio Odoardo.
Escribano, Juan B. Garic.

To collect a physician's bill.

Dr. William Roussillon, surgeon, claims a bill of 282 livres, 10 sols, from Juan B. D'Estrehan, for professional services. Defendant answers that he acknowledges that he owes the plaintiff for treatment given one of his negroes, but the bill presented is "exaggerated." He asks that the account be reviewed by Mr. Le Beau, Royal Physician (Medico del Rey). February 19, Juan Ruby, surgeon of this city, reports: "Considering the treatment given and the nature of the negro's illness, the bill is just." March 8, plaintiff says he and the defendant have compromised their case and prays for a taxation of costs. These are fixed at 16 pesos, 5 reales.

January 14.
Roth vs. Paillet.
No. 3964. 5 pp.
Court of Alcalde Forstall.
Escribano, Juan B. Garic.

Costs held to follow suit.

Plaintiff claims 405 livres for flour. Jean Paillet acknowledges the debt but says he has already paid 12 pesos (60 livres), which reduces the debt to 69 pesos (345 livres). January 15, Roth states that Paillet is willing to pay his debt but refuses to pay costs. He asks that he be ordered to assume them. The Court decrees that the defendant must pay costs, which are taxed at 4 pesos, 4 reales, on January 16.

January 26.
Roussillon vs. Deville and his Wife.
No. 3965. 13 pp.
Court of Governor Unzaga.
Assessor, Cecilio Odoardo.
Escribano, Juan B. Garic.

For physician's services.

Dr. Roussillon, or Roussillon & Montegut, claim 30 pesos from defendant for professional services. The debt remains unpaid and execution is issued in their favor September 19. February 10, 1772, Santiago Hallays reports that he went to Deville's house to collect the bill or else to make a seizure sufficient to cover same, but he could find nothing. All he could do was to garnishee the house rent from Louis Dessalles, Lieutenant of the Louisiana Battalion, who is occupying a house belonging to Deville, for which he pays a rental of 4 pesos a month. The

tenant states this will not be due until the 12th of this month when he will place it at the disposition of this Tribunal.

On May 6, 1773, Joseph Montegut asks to seize a negress named Marton (Martha) belonging to Deville, and that she be appraised and sold to pay her owner's debt of 30 pesos. Unzaga orders the slave seized and put in the public prison. On May 7, Nicolas Fromentin, Deputy Sheriff, certifies that he could not carry out the Court's decree because when he went to Deville's plantation he found that the owner had made the negress hide herself. He puts this down as a matter of record in the presence of Francisco Caminada, Louis Liotau, and Pedro Bertonniere, witnesses.

1771—January 29.

Bartholome Macnemara vs. Francisco La Chapelle, Executor of J. B. Prevost.
No. 152. 55 pp.
Court of Governor Unzaga.
Assessor, Cecilio Odoardo.
Escribano,
Andres Almonester.

Controversy between
Prevost's creditors and his
widow.

The plaintiff presents his petition and decree thereon of December 29, 1769, in which Mr. La Chapelle testamentary executor of the deceased Juan B. Prevort,¹ Agent of the Company of the Indies, was ordered to pay plaintiff's debt of 7348 livres, 8 sols, as per an account dated July 2, 1769. He now renews his suit for the remainder of the debt, a part of which has already been liquidated. He states that much cargo has arrived here, shipped

from France for the said Company in favor of the creditors. He prays an embargo (seizure) be placed upon the houses and imports and that they be sold for his benefit.

On March 2, Francisco La Chapelle answers, setting forth that there are many creditors of the Prevost succession in the same class as Mr. Macnemara, who have received nothing, while he has been given 1800 livres and been offered 1250 livres due the said Prevort (Prevost) succession by Mr. de Chateaubeaudeau for the rental of a plantation. This he has refused to accept. The succession owes the King of France 120,000 livres. Under these circumstances the landed property of the said succession can not be sold without prejudice to the other privileged creditors. Plaintiff can demand nothing more than to pay to each creditor his pro rata from the fruit of the rental of all landed property. He prays that Macnemara be ordered to receive on account the 1250 livres owed the succession by Chateaubeaudeau and for the remainder he will receive his pro rata with the rest. The plaintiff continues to reiterate his pleas for the sale of the deceased's real property with the defendant asking that it be held together and the

¹While the Spanish text gives the name Prevort, we know from the French records the correct spelling is Prevost.

debts liquidated from the proceeds resulting from crops and rent. July 10, Unzaga, on Odoardo's advice, decrees that La Chapelle must pay Macnemara 3548 livres, 8 sols, 3 deniers within five days.

This decision brings Francisca Plazan, Widow Prevost (Prevost) into the suit as defendant on July 12. She protests against the foregoing ruling, claiming for herself the right to be declared the first privileged creditor for her dowry of 30,000 livres. She prays the Court to order delivered to her the records of the case so that she may enforce her plea. She further presents her marriage contract in which the amount of her dowry is stipulated, and asks that Mr. Macnemara's claim be excluded as she holds a tacit mortgage upon her husband's estate to the extent of her dowry.

July 18, Macnemara contests the widow's claim for dowry, pointing out that her marriage contract distinctly states that there will be no community property held between Francoise Plazan, widow of Nicolas Mayeux de L'Ormaison and her second husband, Juan B. Prevost. The wife was to pay her husband each year a certain sum to help to support the charges of the future state of matrimony and as an allowance for her children and servants. Mrs. Prevost presents no receipts for the payment of this allowance which by right belongs to her husband's succession. Before asking for her dowry the widow should prove that she had paid the above said allowance. Secondly, it is claimed that at the sale of her husband's effects she took many things that had been adjudicated to her. It is necessary that the widow prove by account from whom she bought the said effects; at that time nothing belonged to her in the said succession as she and her husband did not hold their property in community. He asks that her case be excluded and that the decree he has already obtained be carried into effect.

July 20, this is contested by the widow who states that if she had not paid her husband the yearly pension he would have taken action against her to make her do so. Secondly, it is no concern of his (Macnemara's) if she owes anything to the testamentary executor. If she did, La Chapelle would have taken the proceedings to collect. She prays for the exclusion of the plaintiff's case.

July 27, Francisco La Chapelle, executor, states that Mrs. Prevost owes nothing to her husband's estate; on the contrary, it owes her for her dowry. He prays Unzaga to order what will be for his pleasure (*mandar lo que sera de su agrado*). Because of the conflicting claims of the litigants, on August 1, Unzaga orders the case to go on trial within nine common days.

On August 3, Francisco Plazan presents Messrs. Dreux and Livaudais as witnesses and asks that they be questioned as follows:

1st. Q. Did Prevost not own a plantation with 30 negroes at English Turn before his marriage?

To which they both answered:

1st A. Before Prevost's marriage he owned a plantation at the place named with about 20 or 30 slaves, more or less.

2nd Q. Did not Prevost own 24 pieces of real estate in the city?

A. Yes, it is true that he owned the city property.

3rd Q. Is it not true that he built the Governor's Mansion before he was married?

A. They remember that the land upon which the Governor's Mansion was built belonged to Prevost before his marriage, but they do not know if it continued to be his after the building was erected.

4th Q. Did he not own a garden in the city which he sold to Mr. Raguet?

A. Yes, Mr. Prevost owned a garden in the city which was sold, but they do not know to whom.

September 20, Unzaga orders a writ of execution issued in Mr. Macnemara's favor for 3548 livres, 8 sols, 3 deniers, with one-tenth and costs. On the 24th, Santiago Hallays reports that he put the writ into execution by seizing from Mr. Chateaubeaudeau, a debtor of the Prevost succession, 16,000 pieces of lumber, leaving the writ open for further embargoes when other property might be found. Mr. Macnemara is not satisfied with the seizure of the lumber belonging to a debtor and not belonging directly to the estate. He prays that instead of this lumber some movables or slaves be seized to pay him. The Court orders four slaves seized and placed with the General Receiver.

December 18, Macnemara states that Martin Braquier has "exhibited" 667 pesos belonging to the Prevost succession; he asks that these be delivered to him and deducted from the costs of this proceeding and for those taken by La Chapelle against Chateaubeaudeau. La Chapelle consents to Macnemara's demand, and on December 19, Unzaga, on Odoardo's advice, rules that with the consent of both parties let the amount which has been seized from Timoleon Chateaubeaudeau for the account of the Prevost succession be delivered to Bartholomeo Macnemara, which must be deducted from the costs. The said costs to be taxed by the present Escribano. These amount to 64 pesos, 3 reales.

Note: This is one of the many suits for the liquidation of the succession of the late Juan B. Prevost and for the settling of affairs of the bankrupt Company of the Indies, which occupy the Courts for the next ten years.

1771—February 1.

**Thomas Poree, tutor,
petitions for permission to
lease a plantation belonging
to his minors, the Cazelars.**
No. 3956. 13 pp.

Court of Governor Unzaga.
Assessor, Cecilio Odoardo.
Escribano, Juan B. Garic.

"The family meeting has
no place in Spanish law."

and slaves for three years be published in the city. Unzaga concedes Poree the license he petitions and entrusts the Assessor with the publication of the lease which must be offered for public bidding. An inventory of the slaves and live stock on the plantation is included. Cecilio Odoardo takes charge of the proceedings for the lease which is called three times by Nicolas Jourdan, public town crier. The highest bid of 1500 livres was offered by Mr. Vaugine. This Poree considers insufficient so he petitions for a family meeting, and because of the lack of relatives he asks that seven friends be summoned to advise and decide what will be necessary to be done for the best advantage of the minors. Unzaga rules that it is not according to the customs of Spain to hold a family meeting. The curator must act for himself and do what he thinks best for the good of his minors.

February 19, Poree states that the prospective tenants do not offer a sufficient rental for the plantation and slaves. He asks for a permit to have the property appraised. This is granted, and the appraisal made. There is a marginal note dated February 27, 1771, to the effect that Mr. Poree has rented the Cazelar property to Mr. Pierre Henry Derneville (afterwards Alcalde, 1776). Costs taxed at 29 pesos, 5 reales.

February 14.

**Succession of Andres
Neau, Merchant.**

No. 3947. 34 pp.

Courts of Alcaldes Chabert
and Forstall.

Assessor, Cecilio Odoardo.
Escribano, Juan B. Garic.

Inventory and valuation
of his estate.

Thomas Poree states that a partition has been made of the Provenché (Provencher) succession. The Cazelar minors have received what is coming to them, and Mr. Beaufort, empowered to act for the Dorval minors, has been given their shares. It is now convenient to the interests of his minors that their plantation and slaves be rented. He prays that a permit to rent be granted him, and that the lease of the plantation

be published in the city. Unzaga concedes Poree the license he petitions and entrusts the Assessor with the publication of the lease which must be offered for public bidding. An inventory of the slaves and live stock on the plantation is included. Cecilio Odoardo takes charge of the proceedings for the lease which is called three times by Nicolas Jourdan, public town crier. The highest bid of 1500 livres was offered by Mr. Vaugine. This Poree considers insufficient so he petitions for a family meeting, and because of the lack of relatives he asks that seven friends be summoned to advise and decide what will be necessary to be done for the best advantage of the minors. Unzaga rules that it is not according to the customs of Spain to hold a family meeting. The curator must act for himself and do what he thinks best for the good of his minors.

Alcalde Pedro Chabert states he has been notified of the death of Andres Neau, intestate, merchant of New Orleans. For the security of any property he may have left he directs the Escribano to certify to the death and collect the keys. The sole heir is Elizabeth Saint Pé, wife of the deceased, living in France. The Court appoints Joseph Ducros as guardian of the estate, who must

accept and take oath. Ducros qualifies and asks to make an inventory. February 20, the inventory is taken, the estate con-

sisting of household effects, clothing, four charts for navigation, with instruments for sounding; two books of instruction for navigation; the papers of the estate consisting of bills of lading for cargo shipped from La Rochelle, Marseilles and Santo Domingo, books of accounts, bills of exchange, notes, etc., and negro slaves. The inventory is signed by Chabert, Joseph Ducros Saint Pe (for his sister, the widow), attested before Juan B. Garic. The inventory does not include an appraisement.

February 20, Pierre Saint Pe, acting for his sister states that because of the nature of his brother-in-law's business it must be continued without interruption, as ships are constantly arriving with cargoes consigned to him, and as he was in charge of the affairs before the death, he asks to have this charge confirmed, offering to give the bond required.

February 28, Joseph Ducros sets forth that because of his many occupations he has not sufficient time to attend to the duties of the guardianship of the Neau estate and asks to be relieved of them in favor of Pierre Saint Pe. Petition granted and on March 4th, Juan Francisco Fournier (Saint Pe's business partner), signs his bond. After presenting the notarial act by which Saint Pe has previously appointed Enrique Desprez his attorney, on March 7th he prays for a taxation of costs. The Court rules that though Saint Pe has been made guardian of the Neau estates this does not in any way bestow on him the power to dispose of it without a permit from this Tribunal. When this will be necessary an appraisement must be made, costs taxed and the proceedings concluded.

March 8, Saint Pe states that since the Court has ordered the estate appraised, he appoints Pedro Songy as his expert. The court orders the appraisement to be made and accepts Songy and orders the Syndic Attorney General (Sindico Procurador General) to represent the absent heir, who must be previously notified so that he may accept and take oath and must in his turn appoint his appraiser within one day, with a warning to proceed with the appointment. Pedro Songy qualifies for Saint Pe, and Jacques Toutant Beauregard agrees to act for the absent heir and appoints Jacques Hallays as appraiser, who qualifies, and the two proceed to put a value on the estate, which they place at 296 pesos. The appraisement is signed by Santiago Hallays, Pierre Songy, Jacques Toutant Beauregard, Enrique Desprez; attested before Juan B. Garic.

March 12, Beauregard states that the appraisement made did not include a negro named Gaspardo, mentioned in the inventory, as he is free, having been baptized in La Rochelle, France, but as there is no authentic document to prove that he has obtained his freedom, he asks that he be appraised. He also says that there is an entry in the inventory to the effect that Mr. Ranson has in his possession at his workshop 15 pieces

of ordinary leather to sell. He prays that he be summoned to make a statement in the matter. Louis Ranson declares under oath that he had the 15 pieces of leather mentioned but he did not succeed in selling them so he turned them over to Mr. Saint Pe. March 13, the Court orders these items appraised, which is done. The leather is valued at 120 pesos and Gasparido at 200 pesos.

In April Saint Pe sets forth that as the inventory and valuation has been made, and as it consists of so little property, he asks that it be adjudicated to him at the price of its appraisal, offering to pay all expenses and debts if any be found, and also the costs of these proceedings. Afterwards he will arrange to send the effects to his sister in France. The Court agrees to this proposition, making the adjudication, ordering the taxation of costs, which amount to 79 pesos, 4 reales, and are paid by Pierre Saint Pe April 9, 1771.

1771—February 14.
The Armand Creditors vs.
Enrique Voix.
No. 136. 22 pp.
Court of Governor Unzaga.
Assessor, Cecilio Odoardo.
Escribano, Juan B. Garic.

To recover rent collected
from a house occupied by
Juana Camu, belonging to
Armand.

Juan Durand, Salomon Malline, Andres Jung, and George Baron, creditors of Armand, declare that a house belonging to the debtor, seized and inventoried, was rented to Miss Jannetta Camu. They ask she be summoned to answer under oath, the following questions: How long she has lived in the house? From whom she rented? What rent has she paid each year? To whom has she paid the said rent? and if she owes anything for rent? and that her declaration be returned to them to be used when suitable. Petition granted. Jannetta Camu declares she lived in a house belonging to Joseph Marie Armand for 15 or 16 months which she rented from his agent, Enrique de Pre (Desprez), at 90 pesos a year. This rental she paid to Enrique Baud or Boix (Voix). At the beginning of this year the rent was reduced to 80 pesos a year. She owes for about four months; the difference between the two rents must be taken into consideration.

February 15, petitioners aver that from Jannetta Camu's declaration Enrique Voix has received 90 pesos rental for a house seized for debt, thus defrauding Armand's other creditors. They ask he be ordered to place this money in the charge of the General Receiver and that the embargo remain on the house until the conclusion of this suit.

February 27, petitioners ask that Jannetta Camu be ordered to deliver Voix's receipt for the 90 pesos and the act which was drawn up when she rented the house so as to come to an understanding in the liquidation of Armand's affairs.

She filed certified copies of Enrique Voix's receipt and the act of lease dated October 15, 1769, by which Enrique Desprez, holding the power of attorney of Joseph Marie Armand, rents a house to Janetta le Camu.

March 2, Enrique Voix answers, saying it is convenient to his right that his receipt be returned to him which Elizabeth (Jannetta) le Camu has deposited with the Escribano, and prays Unzaga to order this done. March 5, he asks that all the records of the case be delivered to him so that he may answer the plaintiff's petitions. Both requests granted.

The creditors reiterate their pleas for the 90 pesos which Voix continues to refuse to deliver; finally, on April 18, Unzaga, on Odoardo's advice, rules: That, inasmuch as Joseph Marie Armand's property was left in his possession, through failure to notify the commissioners and through the negligence of the creditors, therefore, let this suit which is now brought for the restitution of the 90 pesos which Enrique Voix took for the rental of Armand's house be declared without place in Justice. In consequence the creditors are condemned to pay the costs of this article (proceeding). Assessor's fees, 20 reales. Signed: Unzaga; Dor. Odoardo.

Costs taxed at 34 pesos, 5 reales. September 20, 1771.

1771—February 18.

Tereza Gaillar, Widow of Grandpre vs.

Mr. Dauterive.

No. 139. 18 pp.

Court of Governor Unzaga.

Assessor, Cecilio Odoardo.

Escribano,

Andres Almonester.

To recover money paid as surety.

The case was begun a year before and allowed to lapse. On May 13, 1770, Theresa Gallard, Widow Grandpre, alleged that she signed as surety for Mr. Bernard Dauterive his note of 300 piastres in favor of Mr. Lafitte, merchant, to "facilitate the passage" of the latter's brother in Spain, and the defendant failed to pay the obligation and she was called upon to do so, and to accomplish this was forced to

mortgage a family of negroes. She now wishes to recover this amount and prays for a writ of seizure of a house and lot, No. 77 Royal Street, belonging to Dauterive. (Note: This is the first mention of a house and lot number in the Spanish Archives.—L. L. P.) This house to be sold to refund her money. Unzaga rules that Dauterive must verify his obligation

Plaintiff now presents the foregoing and prays for a verification of the obligation by the defendant. This Unzaga orders done. Dauterive is absent at the Post of the "Baya-goulas," and fails to obey. The Court is asked to authorize the Commander of the Post to summon Dauterive to acknowledge the debt and to pay within a short space of time. Unzaga

on Odoardo's advice, sends a despatch to the Commander of the Post of Bayougoula, asking him to summon Dauterive to fulfill the Court's orders. Unzaga seems to have taken advantage of this opportunity to send along a certified copy of another case, Juan B. Pomet vs. Dauterive, to collect a debt for merchandise amounting to 600 livres, more or less.

April 29, plaintiff presents the act by which she appoints Mazange her attorney and states that Dauterive has come to the city before the Governor's despatch has left for Bayougoula, so she reiterates her plea for verification and that defendant's declaration be delivered to her to be used when suitable. Petition granted. Finally, May 6, Bernard Dauterive is located and under oath before Almonester he acknowledges his signature and debt, and because of his declaration the plaintiff, on the following day, prays for execution. He is ordered to pay within three days. May 13, Mrs. Grandpre makes another plea for execution, and the debt is ordered paid within two days. May 14, Pedro Bertoniere states that he notified Dauterive in person of the Court's decree.

May 22, Mrs. Grandpre says that she and Dauterive have settled their case and asks the proceedings be discontinued and costs taxed. Unzaga rules: "As it is prayed." Costs taxed May 23, at 19 pesos, 6 reales.

(To be Continued.)



STATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION,
ETC., REQUIRED BY THE ACT OF CONGRESS OF AUGUST 24, 1912, of the Louisiana Historical Quarterly, published quarterly at New Orleans, for October 1, 1925.

State of Louisiana, Parish of Orleans, ss.

Before me, a Notary Public, in and for the State and parish aforesaid, personally appeared Henry P. Dart, who having been duly sworn according to law, deposes and says that he is the Editor of the Louisiana Historical Quarterly and that the following is, to the best of his knowledge and belief, a true statement of the ownership, management, etc., of the aforesaid publication for the date shown in the above caption, required by the Act of August 24, 1912, embodied in Section 443, Postal Laws and Regulations, to wit:

1. That the names and addresses of the publisher, and the editor, are:

Publisher, The Louisiana Historical Society, The Cabildo, New Orleans, La.; Editor, Henry P. Dart; Managing Editor, None; Business Manager, None.

2. That the owners are The Louisiana Historical Society.

3. There are no stockholders, but the officers are: Gasper Cusachs, Pres.; Edw. A. Parsons, 1st V.-Pres.; Andre Lafargue, 2nd V.-Pres.; Jas. A. Renshaw, 3rd V.-Pres.; Wm. O. Hart, Treas.; Henry P. Dart, Editor; J. Mitchell Pilcher, Recording Secty.; Hy. M. Gill, Corresponding Secty.

HENRY P. DART.

Sworn to and subscribed before me this 16th day of September, 1925.

JOHN DART, Notary Public.
(My commission expires at death.)

